

***United States Court of Appeals
for the Second Circuit***



**APPELLEE'S
APPENDIX**

74-2248

**United States Court of Appeals
FOR THE SECOND CIRCUIT**

Docket No. 74-2248

ECONOMIC OPPORTUNITY COMMISSION OF
NASSAU COUNTY, INC.,

Appellant

—against—

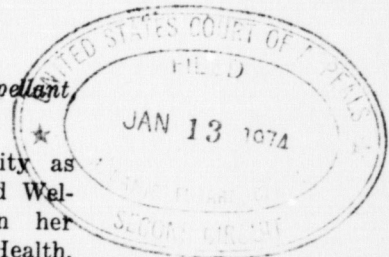
CASPAR WEINBERGER, individually and in his capacity as Secretary of the Department of Health, Education and Welfare; BERNICE BERNSTEIN, individually and in her capacity as Regional Director of the Department of Health, Education and Welfare, Region 2, SAUL ROSOFF, individually and in his capacity as Acting Director of the Office of Child Development of the Department of Health, Education and Welfare; JOSUE DIAZ, individually and in his capacity as Regional Program Director of the Office of Child Development of the Department of Health, Education and Welfare for Region 2, and LESTER MILLER, individually and in his capacity of Board Chairman of the Glen Cove Child Day Care Center, Inc.,

Federal Appellees.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

APPENDIX FOR FEDERAL APPELLEES

DAVID G. TRAGER,
*United States Attorney,
Eastern District of New York.*



PAGINATION AS IN ORIGINAL COPY

DOCUMENTS SUBMITTED TO "HEW" BY THE ECONOMIC
OPPORTUNITY COMMISSION OF NASSAU COUNTY, INC.
IN THE ADMINISTRATIVE APPEAL, WITH A TABLE OF
CONTENTS

(Federal Defendant's Exhibits pp. 1-22
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Commission of Nassau County, Inc. in Administrative Appeal

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A 3

Child Day Care Center, Inc. Board of Directors,
August, 1970

22 [A. 25]

0622

March 16, 1973

Mr. John L. Kearns, Exec. Director
Economic Opportunity Commission of
Nassau County, Inc.
106 Main Street
Saratoga, New York 11560

Re: Glen Cove Day Care Center

Dear Mr. Kearns:

In our letter of February 25, 1973, we indicated that the Glen Cove Child Day Care Center, Inc. Board had requested an appeal for delegate agency status to our Office and that we would be advising you, the Grantee Agency, regarding the procedure to be followed.

Our Regional Attorneys have now advised us of the following written materials which we need from your Agency to proceed:

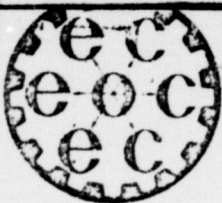
1. A description of, or copies of, any communications, written or oral, between the Glen Cove Child Day Care Center, Inc. Board and your Agency regarding their request for delegate agency status.
2. The reasons why your Agency failed to act upon their application.
3. Any other facts and circumstances which your Agency believes to be relevant to the case.

These materials are to be submitted to our Office within 15 days after receipt of this letter.

Joseph E. Diaz
Assistant Regional Director
Head Start and Child Development

myra adams
cc: Ms. George Jackson, Bd. Chairman
Mrs. Jean Lowe, P.C. Chairwoman
Mrs. G. Collins, H.S. Director

bcc: Files, G.F. Reg. Attorney, Chrono
J. Piz, E. Donnell, C. Ginta
Dana...



ECONOMIC OPPORTUNITY COMMISSION OF NASSAU COUNTY, INC.

106 MAIN STREET, HEMPSTEAD, NEW YORK 11550

JOHN L. KEARSE, EXECUTIVE DIRECTOR

PHONE: (516) 292-9710

GEORGE JACKSON, CHAIRMAN

A 0622
5

March 21, 1973

Mr. Josue E. Diaz,
Assistant Regional Director
Office of Child Development
Room 3900
26 Federal Plaza
New York, New York 10007

MAR 30 1973

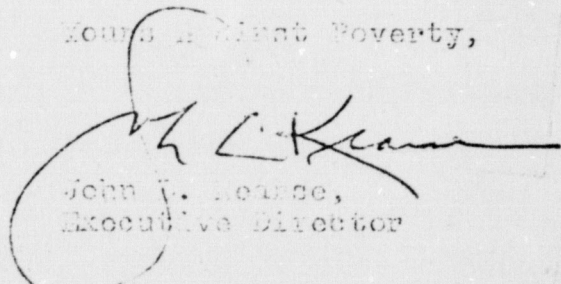
Dear Mr. Diaz:

Enclosed please find copies of all written communications between the Glen Cove Child Day Care Center and our agency regarding delegate agency status.

I believe that you will find sufficient reasons why our agency failed to act upon the Glen Cove application for Budget Year "C".

Yours in Fight Poverty,

JLK:jdv
Encls.


John L. Kearse,
Executive Director

cc: Myrna Adams, Acting Board Chairwoman
Jean Love, Policy Council Chairwoman
Glenda Collins, Head Start Director

*File
Open Case
Special*

A. 6

June 2, 1972

Mrs. Pandora Hersey, Director
Glen Cove Head Start
113 Glen Cove Avenue
Glen Cove, New York 11542

Dear Mrs. Hersey:

I am writing this letter instructing you to make a formal request in writing to your Day Care Board requesting the release of monies in the sum of \$8,760 which you will need to operate your program until the end of this fiscal year.

This situation must have your immediate attention.

Thanking you in advance for your cooperation.

Sincerely yours,

(Ms.) Glenda Collins
Director for Head Start
Nassau County

GC/erw
cc J. Kearsse
J. Couch

File

GLEN COVE CHILD DAY CARE CENTER, INC.

LINCOLN SETTLEMENT HOUSE

113 GLEN COVE AVE.

GLEN COVE, N. Y. 11542

OR 1-3382

A

7

June 13th, 1972

Mrs. Glenda Collins, Director for Head Start Nassau County
Economic Opportunity Commission of Nassau County, Inc.
320 Old Country Road
Garden City, New York 11530

Dear Mrs. Collins:

In compliance with your letter, I am enclosing a copy of the letter to the Day Care Board requesting monies in the sum of \$6,700 for the operation of the program until the end of this fiscal year.

On April 26th, 1972 a letter was sent to the Board from three Policy Committee members requesting that the Board release the \$5,000 given by the City of Glen Cove to help the center meet its budget needs for this fiscal year. Enclosed are excerpts of the Board minutes concerning the monies.

PH/ja

Sincerely,

Pandora Hersey

Pandora Hersey
Director

GLEN COVE CHILD DAY CARE CENTER, INC.
LINCOLN SETTLEMENT HOUSE
113 S. EL COVE AVE
GLEN COVE, N.Y. 11542
OR 1-3392

June 13th, 1972

Mr. William Johnson, President
11 Johnson Street
Glen Cove, New York

Dear Sir:

It is nearing the end of the budget year and the center's operating budget is \$6,738 short due to lack of non-federal cash or community cash contribution. Only \$700 has been contributed in cash to the center for this fiscal year. In order that the center's budget matches federal dollars and quality for refunding which is August 1, 1972, I am making an appeal to the Board for the cash contribution of \$6,738.

Due to the differences of opinions, the legal and financial entanglements and the inability of the authoritative resources to make a compromise, the children are the innocent sufferers of the situation; staff members are being placed under unnecessary pressures, and the center's contractual obligations and contractual conditions are not being fulfilled for the 1971-72 fiscal year.

Regardless of your feelings about the whole situation, the children are the ones to benefit from your cash contributions.

PH/jm

Sincerely,

Panora Hersey
Panora Hersey
Director

June 28, 1972

A

9

GLEN COVE HEAD START

Policy Committee Structure

The Economic Opportunity Commission of Nassau County cannot presently recognize the Policy Committee structure of Glen Cove Head Start because of the following reasons:

- A. Non-functioning Parent body.
- B. Lack of parent attendance at meetings, allowing the community segments of the committee the opportunity to make final adjudication on matters affecting the total program.
- C. Non-functioning sub-committees (Example: personnel, screening.)

Fiscal Accountability

The Economic Opportunity Commission of Nassau County can only relate to the HEW - OCD funds. There has been no accountability for funds received from other sources, that should have been used to supplement our current budget.

(Example - Department of Social Services reimbursement funds)

The cash commitment for program year "F" in the form of \$8,985.00 has not been received to date. The bookkeeping records reflect only \$700.00 of the total commitment.

Program control and operations have not adhered to Federal HEW guidelines, as spelled out in the Glen Cove contract with the Economic Opportunity Commission of Nassau County. The Glen Cove program has not followed lines of authority in operating programs under the auspices of the local CAP and the Economic Opportunity Commission, but has preferred to operate the program as if it were a separate entity.

The Economic Opportunity Commission can no longer support programs if guidelines are not met, and if policy committees are not fulfilling proper roles.

July 3, 1972

Mrs. Juanita Burnett
Acting Chairman of the
Parent Group
Glen Cove Head Start
113 Glen Cove Ave.
Glen Cove, N.Y. 11542

Dear Mrs. Burnett:

This is to acknowledge receipt of the \$5,000 check to be deposited in the Glen Cove Full Year Head Start accounts towards the non-federal cash requirement on this program year (8/1/71-7/31/72) budget.

Mrs. Hershey also related that other program costs of \$1,857.04 have been paid, in cash, up to June 1972. As soon as this has been documented by bills and cancelled checks, this will also be credited towards the non-federal cash requirement on the budget. With these credits, there still remains an amount of \$1,427.96 due to meet the total \$8,285 cash requirement. Your total cash commitment for this year's budget was \$8,985 of which you previously reported having put \$700 in program. This left the \$8,285 figure as the balance due as of June, 1972.

As far as the reimbursement from Department of Social Services is concerned, there has been an obvious long standing misinterpretation of how these monies are to be used, and by whom.

I am enclosing herewith a copy of the original agreement worked out by us with the Department of Social Services and OGD/HEN. Additional copies are included for your Policy Committee also.

As you can see by the letter, the reimbursement money is to be used primarily for program operating expenses for serving additional youngsters. This is not the case in Glen Cove. There is also the warning that we are to avoid "double funding" of services. In other words, the same child cannot be paid for by HEN/OGD funds and Social Services funds, as this is illegal. This is the case in Glen Cove.

Mrs. Judith Burnett

July 3, 1972

The Commission originally allocated \$5,025 of federal cash to your program, based upon serving 40 children. Our records showed, as of 6/14/72 that we had allocated \$69,800 of federal cash to your program for those 40 children, leaving a federal cash balance of \$5,175 due through 7/31/72. However, we discovered that you have been receiving Department of Social Services reimbursement on 18 of those same children since 8/1/71, or 46 weeks thru 6/15/72 at the cost of \$7.00 per child, per week. Our figuring on those facts revealed you received, or should have received a total of \$5,796 from the Department of Social Services.

In order not to continue to increase the amount of double funding, which will extend back to the time when the Department of Social Services contract began, we have to withhold the federal cash due as per your budget for this year, to equal the amount you collected from the Department of Social Services. Our records indicate we are about \$600 off. (Department of Social Services paid \$5,796 - we are not giving you \$5,175.) What this means, is that the Day Care Board will have to spend the cash it has to run the program through July 31, 1972 which will further decrease the double funding overpayment due back to the Department of Social Services for the time prior to 8/1/71. In as much as neither you, the Policy Committee, nor, the Commission, has access to the Day Care Board's accounts and records, the extent of overpayment will have to be determined by the Audit which the Department of Social Services will be performing.

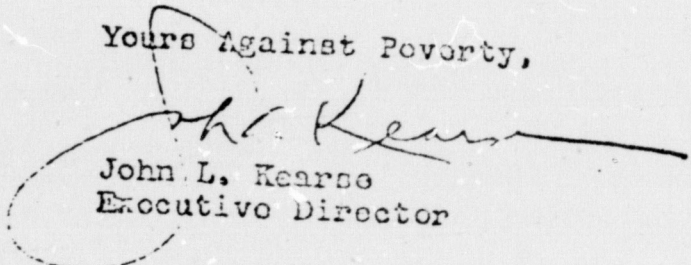
Finally, we are still insisting that the Policy Committee and the Glendora E.O.G. Board are the local controllers of the Full Year Head Start Program. We do not intend to provide your program with a Head Start Budget as of 8/1/72 unless we are satisfied that the Policy Committee structure, relating to the local E.O.G. Board. This does not preclude the Day Care Board acting in the capacity of "Friends of the Center or Advisory Group," but it does preclude them from controlling the program and its funds. This will be the only way that the local E.O.G. and the Commission can be assured of proper fiscal, legal and program accountability which we must have for EHW/CCD, our primary funding source.

Mrs. Juanita Burnott

July 3, 1972

I am hoping that this letter will help your parents and Policy Committee in making its decision which we will require by no later than July 15, 1972. Our staff stands ready to assist you in any way we can. The Commission nor its staff are your enemies, however, we must protect the entire Full Year Head Start Program in Nassau County and its funding. Glen Cove right now, is jeopardizing that.

Yours Against Poverty,


John L. Kearse
Executive Director

JLK:ed

cc: Mr. James W. Couch
Ms. Glenda Collins
Mrs. Pandora Horsey
Mr. Luis DeGuzman

GLEN COVE CHILD DAY CARE CENTER, INC.

LINCOLN SETTLEMENT HOUSE

113 GLEN COVE AVE

GLEN COVE, N. Y. 11542

OR 1-3392

A 13

July 20, 1972

Mr. John Kearse
Nassau County Economic Opportunity Commission
320 Old Country Road
Barren City, New York 11500

Dear Mr. Kearse:

The Policy Committee of the Glen Cove Child Day Care Center, Inc. is writing to you in response to a letter received by Mrs. Juanita Burnett, acting chairman of the Parents' Group, in which you stated that the Glen Cove program will not be funded for 1972-73 because our Policy Committee is illegally structured. The reason given is that three members of the Policy Committee do not live in Glen Cove. The guidelines given to us by your office on June 22nd and on previous occasions clearly state that "Parent members of the Policy Committee elect 5 community members representing local organizations interested in the goals of Head Start." The members of the Parent Group did this in February, 1971, and in January, 1972, they voted to retain the same community members for another year.

The five community members are Mrs. Rosemary Craigmyle, Lincoln House Board; Mrs. Ellen Franck, NAACP; Mrs. Mary Austin, Day Care Board; Mrs. Mary Kasindorf, Congregation Tifereth Israel; and Mrs. Jeanne Dayton, Women's Auxiliary of the Community Hospital at Glen Cove. In March, 1972, Mr. Couch attended a meeting of the Policy Committee, reviewed the above, and stated that we did conform to guidelines. In the material dated June 22, 1972, the fact that three members of the committee did not live in Glen Cove is not even mentioned. If you are concerned that too many of the five also serve on the Day Care Board, please be advised that Mrs. Franck is not a member of the Board; Mrs. Craigmyle is an honorary member and does not attend meetings or have a vote; and the terms of Mrs. Dayton and Mrs. Austin are expiring. Mrs. Kasindorf is the only community member of the Policy Committee who will remain on the Board.

We feel very strongly that this is not the time to restructure the Policy Committee as there are only four more weeks of this program to run. Some changes in the Committee will have to be made in September, as some of the members will no longer have children in the program.

The Policy Committee wishes to re-emphasize their request for a sub-delegate contract between the Glen Cove EOC and the Glen Cove Child Day Care Board. If you wish to have a Head Start program in Glen Cove, you must permit this contract to be signed since the Day Care Board is the only body licensed to operate a Day Care Center in Glen Cove. If there is no sub-delegate contract, there will be no one to raise the community cash contribution which has always been done by the Day Care Board.

Your prompt attention to these matters will be most appreciated.

Sincerely yours,

Ruby Sporn
PD Chairman

ECONOMIC OPPORTUNITY COMMISSION OF NEW YORK COUNTY, INC.
100 OLD BURNING WOOD, BARCLAY CITY, NEW YORK 10008 - NYC 741-8811

CHARLES T. WILLIAMS, CHAIRMAN

January 26, 1971

Mr. Juan Lencir, Director
Glen Cove EOC
18 Cottage Row
Glen Cove, New York 11542

Dear Mr. Lencir:

This is to clarify the issue of corporate board structure for any Head Start Center wishing to incorporate separately from the CAP program.

In order to assure direct and uncomplicated policy making power for parents, the corporate board will serve as the policy committee for that Center. This corporate board will be required to follow HEW guidelines for the composition of policy committees, i.e. 51% parents of currently enrolled children, with the remainder community representatives to include at least one representative from the CAP Board.

HEW guidelines as outlined in the Head Start Policy Instruction I-30, Section B-2, 8/10/70 (attached) will be reflected in the corporate body's by-laws and will be followed regarding rotation of membership, election of parent members, approval of community members and functions and responsibilities of the committee.

Funding of the Head Start programs will proceed as in the past. Contracts for Head Start programs, even if separately incorporated, will be signed by the grantee (Economic Opportunity Commission) with the delegate agency (CAP) in whose area the program is located. The delegate agency will assume responsibility for the Head Start program with policy making function reserved to the policy committee of Head Start as outlined in the previously mentioned instruction.

Per
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TECHNICAL OPPORTUNITY COMMISSION OF NASSAU COUNTY, INC.
320 OLD COUNTRY ROAD, GARDEN CITY, NEW YORK 11530 • 516 741-8811

JOHN L. KEARSE EXECUTIVE DIRECTOR

PAULINE WASHINGTON CHAIRMAN

August 3, 1972

A 15

Mrs. Ruby Spann
Policy Committee Chairman
Glen Cove Headstart
113 Glen Cove Avenue
Glen Cove, New York 11542

Dear Mrs. Spann:

This will acknowledge your letter of July 20, 1972.

It was our hope that the Policy Council would be able to understand the seriousness with which we view the present Full Year Headstart Program and the need for the restructuring of the Policy Committee as we have requested on several occasions, in order that we might continue the funding for the Headstart Program in Glen Cove. Your letter makes it very clear, for whatever the reasons, that there has not been, nor is there any intention on the part of the current Policy Committee and the Glen Cove Child Care Board to comply with these requests.

Please be informed that as of July 28, 1972, all Full Year Headstart staff were paid for all the vacation time to which they were entitled, extending through August 28, 1972. Please be further advised that your program will not be given any further Federal funds until this situation has been resolved through the newly constituted Glen Cove EOC Board, our delegate agency.

Please be further advised that this condition has been made a part of our Letter of Understanding from the Office of Child Development of HEW for our new Program Year "G" (8/1/72 -- 7/31/73) in the following manner:

"Every corporate Board operating a Headstart Program must have a Policy Committee of Council as defined by HEW. The corporate body and the Policy Committee or Council must not be one and the same."

They further state:

"While we are aware the Commission was granted permission

Handwritten notes:
to
Council
Structure
shortened
had
question
Mr. Kearse
look it out
contact
applying
to
Pl. etc.
C.G. auto

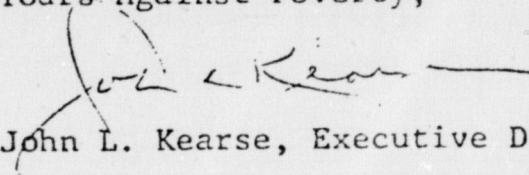
August 3, 1972

A 16

for this Program Year "F" (8/1/71--7/31/72) to implement another type of structure for your Policy Committee or Council, we cannot continue to grant this exception. Beginning with Program Year "G", it is requested that these bodies comply with the structure as outlined in the abovementioned regulations. We would recommend, of course, that there be an exchange of representatives with the CAA/CAP Board of Directors."

As you can see from the above, this matter must be given immediate attention by your local EOC Board and Policy Council, if the Commission is to be able to provide a refunding for your Full Year Headstart Program for the new year.

Yours Against Poverty,



John L. Kearse, Executive Director

JLK:ps

cc: Mrs. Juanita Burnett, Acting Chairman, Parent Group
Mrs. Glenda Collins, Headstart Director, Commission ✓
Mr. Louis DeGuzman, Policy Council Chairman
Mrs. Pauline Washington, Chairman, Commission
Mrs. Pandora Hersey, Headstart Director, Glen Cove
Miss Carol Gionta, OCD/HEW
Glen Cove EOC Board

GLEN COVE CHILD DAY CARE CENTER, INC.

LINCOLN SETTLEMENT HOUSE

113 GLEN COVE AVE.

GLEN COVE, N. Y. 11545

OP 1-3362

A 17

August 10, 1972

Mr. John Kearse
Nassau County Economic Opportunity Commission
320 Old Country Road
Garden City, New York 11530

Dear Mr. Kearse:

We are writing in reference to your letter of August 3rd.

Although you have threatened before to withdraw funds for various reasons, we did not think you would go through with it. We have fulfilled our budget requirements and upon receipt of your letter of July 3rd, both the Parents and Policy Committee sat down together, with the guidelines from OCD-HEW, and discussed the structure of our Policy Committee. We find we meet the guidelines and the Parents wishes in every way. We want to stress that at no time in the past, present or future, has or will the Board and the Policy Committee been one and the same. These are two completely different and separate bodies.

Another thing we must bring into focus at this time, is that for you not to pay our staff for invalid reasons, is illegal according to the guidelines that you keep stressing upon us. We have been in constant contact with the staff to see if they had or have received a letter terminating employment, and as of Monday, August 7th, the staff had not received any notice terminating employment starting August 1st. We pointed out once before, but we will point it out again, that according to the EOC Personnel Practices, professional staff must be given 30 days notice upon termination of employment. We also feel that this action cannot be taken by yourself but only the Commission Board and the Policy Council have the right to do this. So in our beliefs, we have kept the Center opened, with the staff in full cooperation, because we feel that your mistake will be corrected immediately.

Sincerely yours,

Ruby Spann
Chairman of the Policy Committee

April 21, 1972

Mr. James Stuart, Commissioner
Hassan County Department of Social Services
County Seat Office
Minneapolis, MN 55401

Dear Commissioner Stuart:

I would like to bring to your attention my concerns around the contract relationship, and current purchase of service agreement as it relates to the Glen Cove Head Start program.

Since the program is funded by the Commission, the agreement for purchase of service should be directly with the Glen Cove E.O.C.. Since the program is in Receivership.

In the past funds have been paid to another group, when funds should have gone directly to E.O.C. Head Start, from which you purchase service.

The current contract agreement is not with the Glen Cove E.O.C. Head Start. However, the services you have been purchasing are provided by, and through that program, which is not being directly reimbursed. While the Commission through its current receivership is directly responsible for this program, we would like to correct this procedure.

It is our plan to return the Glen Cove program back to the community as soon as possible. This is one of the issues that must be clarified before that time.

Mr. Couch, my Deputy Director and or Mrs. Geraldine Johnson, our Acting-Head Start Director are available to meet with you or your staff at your earliest convenience.

Thanking you in advance for your cooperation.

Sincerely,

John L. Kearson
Executive Director

JLK:cd

cc: James H. Couch
Charles Johnson, Chief of the Youth Bureau

THOSE IN ATTENDANCE

Carol Gionta, OCD Community Representative
 Lillian Alexander, OCD Parent Program Specialist
 Ruby Spann, PC Chairman, Glen Cove
 Eugene Jackson, Glen Cove
 Jeanette Luald, Parent Representative, Glen Cove
 Geraldine Dorsey, Rockville Centre HS
 Lorena Shannon, Rockville Centre HS
 Lorraine Vahl, Delegate, Hicksville-Levittown
 Margaret Dearing, Parent, Glen Cove
 Yvonne Murphy, Parent, Glen Cove
 Jeanne C., Secretary, PC Glen Cove
 Thomas F. Luald, Parent, Glen Cove
 Luis DeGuzman, PC Chairman, Bellingdale
 Alide D. Conant, HS Director, Manhasset/Great Neck
 James Couch, Deputy Director, EOC
 Glenda Collins, Head Start Director, EOC
 Ruth DuBose, Roosevelt
 Jean Love, Roosevelt
 Mrs. Holiday, Manhasset

✓ Members of EOC
Policy Council

X- EOC Nassau
Central Staff

Mr. Kearse X
 MS. G. Johnson X
 MS P. STRUTHERS X

The meeting was opened at 9:10 p.m.

Agenda included:

Glen Cove Full Year Head Start
 Carol Stateman, former nutritionist for
 Full Year Head Start of Nassau

Mrs. Jeanette Luald, parent, of Glen Cove, opened the meeting discussing the order of events that had led to Mr. Kearse's notification to Glen Cove FYHS that they would not be funded for '72-'73 because of the alleged illegal structure of the Policy Council Board. Mrs. Luald proceeded to read correspondence exchanged between Mr. Kearse and Glen Cove FYHS.

Mr. Couch spoke next in reference to the fact that Glen Cove situation had been dealt with countless number of times and proceeded to read from the minutes of August 10 Program Committee of the Commission.

Mrs. Lillian Alexander raised the question of what exactly is the request of Glen Cove Full Year Head Start - whether they are requesting delegate status for the program or sub-delegate. After speaking with Mrs. Alexander earlier, the request would be a delegated status.

Mr. Couch explained that Glen Cove will not have a FYHS program until the new Glen Cove CAP Board has been seated. Mrs. Alexander raised the question of whether the Policy Council has concurred to the request of Glen Cove FYHS. It was resolved that as of this meeting, it had not been concurred.

Mr. Dayton requested Mr. Couch to re-read the minutes of the August 10 program community meeting with the objective being to clarify whether the committee upholds Mr. Kearse's decision. It was resolved by Mr. Couch that the commission does uphold Mr. Kearse.

Mr. DeGuzman explained to the Board Members the situation and it was at that time openly discussed by the members. Mrs. Dayton, explained that Glen Cove Day Care Board has always operated in the capacity of the CAP Agency.

Mrs. Collins expressed a desire for the Board to vote on the issue at hand. Mrs. Alexander asked whether the members of the board fully understood the situation and if so... A vote was taken on the question presented by Glen Cove. A motion was made by Mr. DeGuzman to take a vote on it and it was unanimously voted that the upcoming ECC CAP Board be the delegate agency for Glen Cove FYHS.

A memo was read requesting two parents to accompany Mrs. Gerri Johnson to participate in a Child Development Seminar to be held September 24 and 25 in Washington, D.C. One parent will be chosen from the Policy Council and one parent from Career Development. It was agreed by the board member that Ruth DuBose, P.C. Chairman of Roosevelt FYHS will represent the Board.

The next order of business involved the requested hearing of Mrs. Stateman formerly nutritionist specialist for FYHS in Nassau County. Mrs. Alexander brought up the fact that at a previous meeting, it was agreed that no hearing would be called in the respect that Mrs. Stateman had not at that time requested a hearing.

A piece of correspondence regarding Mrs. Stateman's termination was submitted by Mrs. Collins. A unanimous vote was taken favoring a hearing before the Personnel Committee in behalf of Mrs. Stateman's request. The Personnel Committee will then take its recommendation to the Council. A letter will be sent out to the members of the Personnel Committee. A RSVP will be requested. A letter will be sent to Mrs. Stateman notifying her of the date August 23 at 8:00 p.m.

Mrs. Marjorie Long, Early Childhood Development Coordinator FYHS, resignation was read. Council decided there was no need for follow-up.

The agenda for the next meeting will be programmatical matters, expansion program of Department of Social Service, Career Development; the meeting will be held on the 3rd Wednesday of September.

GLEN COVE CHILD

BOARD MEETING - JUL 22, 1970

The meeting was called to order at 8:20 p.m. by Mr. Johnson. Present were Mmes. Sinks, Brown, Chamberlain, Kasindorf, Holmes, Austin, Holly, Kvietok, Byrnes, Mr. Cosgrove, and Mr. Davis. Also present were the following members of the staff of the Day Care Center: Mrs. Stella Rosen, Mrs. Ruby Spann, Mrs. FAirybelle Funches, Miss Juanita Mayes, Mrs. Ojetta Hopkins, Mrs. Ruby McBride, Mrs. Jo Ann Hansen, Miss Ida Watson, and Mrs. Ora Lee Bettis. Also present were Mr. and Mrs. Couch, Mrs. Ann Ettlinger, Acting Director of Head Start for Nassau County, Miss Geraldine Johnson, Social Services Coordinator for Head Start, and The Reverend Francis C. Taten, Jr. Director of Christian Education at St Thomas' Episcopal Church, Roschester, a friend of Mrs Kasindorf's. Excused were Mrs. Lawrence, Mrs. Torres, Mrs. Heslen, and Judge Suozzi.

Mrs. Dayton read the minutes of the last meeting. A change in the last line was suggested. It should read: "She also mentioned Mobilized Community Resources as a possible source of assistance for one Day Care Center". The minutes were accepted with this change.

Mrs. Brown then gave the report of the Finance Committee. At our June Board meeting Mr. Johnson asked for a complete financial report to be presented at the July Board Meeting. Since a new Finance Committee had not yet been appointed, as a member of last year's committee which had no chairman, I agreed to be acting chairman, pro tempore, to make this report.

The immediate issue was the question of the status of the account which has been called "Other Bank Account", the Special Account in which have been deposited contributions from the community per se and payments by the Department of Social Services for services rendered under contract of August 1969 which we considered to be community money in toto until May 1st.

A directive was received in May from Nassau E. O. C. to the effect that payment from the Department of Social Services cannot be considered community support. Some \$6,000 received January and April had already been spent. Payment received thereafter has not been touched and is presently in the Special Account. There is not a great deal more money in that account from which during this past year \$788.00 a month has been paid out through April toward regular operating costs as community share.

I have not attempted to call a committee meeting. I found I needed to pull together a number of facts, the last of which I learned yesterday.

The Department of Social Services' (DSS) money derives from Federal, State, and County governments. I consulted a number of people in order to determine the percentages involved. We believed that County money could be considered community money and that, therefore, a part of the

payments was community money. Copies of two legislative bills recently passed were received from Albany indicating that the Federal portion cannot exceed 75% and that the other 25% is matched 50-50 by State and County.

Mr. Couch told me of a meeting on this subject scheduled the middle of July with Nassau E. O. C. The meeting was postponed to July 22th, yesterday. Those present were: Mr. Middleton, Nassau E. O. C. Director; Mr. Kearse, Associate Director who will succeed Mr. Middleton as Director August 1st; Mrs. Ettlinger and Mrs. Ramsey of Nassau E. O. C. staff; Mr. Couch, Glen Cove E. O. C. Director; Mrs. Craigmyle, former President of Glen Cove Child Day Care Center; and I as acting chairman of the Finance Committee.

To digress for a moment, I would like to say that I was shocked to learn that Mr. Kearse did not know until yesterday that Glen Cove Child Day Care is an incorporated non-profit agency with its own Board of Directors and that it preceded the formal organization of Glen Cove E. O. C. I question that anyone else at Nassau E. O. C. other than Mr. Middleton has been aware of our unique set-up. I believe that many difficulties and gaps or lags in information have been due to this lack of understanding. We have been treated as if we were organized like the other nine Day Care Centers in Nassau which are set-up under AP Programs.

To get back to the subject, Mr. Middleton explained that the 25% non-Federal part of the DSS money described above is 12½% State money which must be matched by 12½% County money. He says that since the County money has thus already been used as matching money, it cannot be considered community support a second time. Therefore, we cannot consider any percentage of DSS payments in our community support accounting.

Mr. Middleton and Mr. Kearse understand that we spent the money paid us by DSS January-April in good faith, that we have no other money, and that we have not spent any DSS money since May 1st when we were directed not to. The other Day Care Centers have spent DSS money, too. Mr. Middleton and Mr. Kearse say they will have to explain the situation to HEW but they feel that it will be understood and allowed as long as it does not happen again. In the meantime, in order to fulfill our contract, we must transfer \$2,364.00 (\$788.00 a month community share for May, June and July) from the Special Account to our Regular Operating Account before July 31. This requires a Board vote and immediate written notice to our bookkeeper.

Mr. Middleton says that we will be funded as of August 1st as requested. Based on the larger budget, our monthly community share will be about \$1,000.00. He says we do not need to produce \$1,000.00 in cash each month, but that we must produce at least half the cash, \$6,000.00 within the first 6 months funding period and the rest within the 12 month period. This means that we must start finding new community funding sources immediately, and reviewing former sources for potential revitalization.

We are probably the only Day Care Center in this County which does not receive money from our local government. Nassau E. O. C. brings

over \$200,000.00 into Glen Cove through Day Care and Glen Cove E. O. C. It seems to me that our City budget should recognize this by supplying a good part of the community money needed to meet our contracts. I have begun to write my ideas about this and to list other suggested sources of community money that have been mentioned to me by the people with whom I have talked during the past month. I will give this list to the new Finance Committee.

Mr. Johnson then introduced Mr. Ann Ettlinger, Acting Director of Head Start for Nassau County. He stated that the County had been treating the Day Care Center like all the others and sending all their information and directives to E. O. C. and not to the president of this Board. Mrs. Ettlinger said they had begun doing this recently. She then spoke about the conversion budget. Summer Head Start will be eliminated after this summer and eight more children will be incorporated into full year Head Start. The six week program of half days has not been as successful as hoped, so this money will be used for the all year program. There is serious question that Summer Head Start would be funded again, and conversion might not be possible at a later date. Mr. Couch stated that the parents' Advisory Committee of Summer Head Start had opposed the conversion, but were outvoted in the County.

Mr. Johnson then told us that the personnel practices for Day Care Centers were changed by the County about a year ago. However, this change was never brought to the attention of the Day Care Board, so that our personnel are receiving less vacation and sick days than the personnel of other centers. The new practices can be modified to suit our staff within the confines of the County practices.

Mr. Johnson directed Mrs. Kasindorf to call a meeting of the Personnel Committee to clarify the whole situation. There is no question that a lack of communication exists between the teachers and the Board. A motion was made and passed to accept the recommendations of the Personnel Committee subject to the approval of the Board. The Personnel Committee is to consist of Mrs. Kasindorf, Mr. Davis, Mrs. Sinks, Mrs. Chamberlain, Mrs. Holmes, and Miss Tillman. Mrs. Holmes raised the question of the cook's positions. Mr. Johnson said that the cook's position becomes full time on August 1st. The new budget has been written under the new personnel practices.

A motion was made and passed to authorize the bookkeeper to transfer all County funds from the other bank account to the regular account. Mr. Johnson requested that the Finance Committee make a full report on the other bank account to the Board at the next meeting.

Mr. Johnson then reported that the Policy Advisory Committee of the Day Care Board had met with the Lincoln House Board on July 9th to discuss the possibility of a new community center.

Mrs. Kvietok then introduced Mr. Kaminsky, an architect whose firm specializes in working with community groups who are building new Day Care Centers. Mr. Kaminsky looked at two pieces of property and said that the Lincoln House property was by far the better of the two. He then explained the funding process of the Youth Facilities Act, which was passed by the New York State Legislature in April, 1969, making million dollars available. In April, 1970, this was increased to

100 million dollars. The State provides the organization with a mortgage for the purchase of the land, building of the structure, purchase of equipment, employment of the Director, etc. The Department of Social Services would then provide the funds to pay off this mortgage. The

Care Corporation would have to purchase the land for the new center from the Lincoln Settlement House. Construction costs average \$6,000.00 per child, initial equipment \$4,100.00 per child, and one year of disposable items \$835.00 per child. It would take approximately eight months to one year to reach the point where building could actually be started.

Mrs. Ettlinger stated that we should not depend too much on Social Services money, or we might be in for a rude awakening. The eligibility standards for social service reimbursement are very high; 20% of the total enrollment can come from non-eligible children.

Mr. Johnson thanked Mr. Kaminsky for a very clear presentation.

The Center is entitled to \$6,763.00 in conversion money from Summer Head Start. The money must be used by October 15th. Part of it will be used to purchase a Ford Econoline Minibus for the center. Mrs. Dayton was asked to write a letter to Mrs. Ettlinger authorizing her to make this purchase for us at a special rate.

Mr. Johnson announced the resignation of Father Alacon from the Board. He suggested that Mrs. Dayton contact him and also the Reverend Simms for possible successors.

Mr. Davis, Mr. Cosgrove, and Mrs. Kvietok volunteered to look into the possibility of divorcing ourselves from E. O. C. as discussed at the November meeting.

Mr. Johnson announced the donation of \$500.00 to the center from Operation Democracy in Locust Valley and asked Mrs. Dayton to thank them for this generous gift.

The meeting was adjourned at 11:20 p.m.

Respectfully submitted,

Jeanne C. Dayton
Secretary

August, 1970

MEMO: From the Finance Committee

A 25

TO: Glen Cove Child Day Care Center, Inc. Board of Directors

To accompany Annual Treasurer's Reports for the year ending July 31, 1970.

We have two bank accounts:

1. EOC Account (regular operating account) in which are deposited Head Start payments to Day Care.
2. Special Account (which has also been called 'Other Bank Account') in which are deposited cash contributions from the community and payments from Department of Social Services (DSS) under contract of August 1969.

Operating expenses called for in the Head Start Budget are paid out of the EOC Account. The Head Start Budget is written by Nassau EOC using Day Care's specific requests and EOC-HSN guidelines. The Budget calls for both a Federal share of costs and a non-Federal share. The non-Federal share is the community's share and includes both cash contribution and in-kind contributions. The cash contribution is arrived at by subtracting the total in-kind contributions from the total non-Federal share of the Budget.

The 1969-70 Budget called for \$9,456. cash contribution (\$788. per month). This cash contribution was transferred at intervals from the Special Account to the EOC Account.

Any cash contributions beyond those called for in the Head Start Budget remain in the Special Account to be used at the Day Care Board's discretion.

Since 1965 Day Care has received \$25,444. in cash contributions, \$22,084. of which was given by the North Shore Junior League. The Junior League was the original sponsoring organization which developed the community steering committee which established the need for Day Care in Glen Cove, incorporated the agency, and opened the doors of the center for service. The Junior League plan was to phase out its contributions; they made an initial grant of \$5,000 in 1965; thereafter their planned contributions were \$6,000 in the budget year 1965-66, \$3,000 in 1966-67, \$4,000 in 1967-68, and \$1,000 in 1969-70.

Community cash contributions other than the Junior League's have been small by comparison until 1969-70 when they rose to \$2,140.

In January, 1970, DSS began retroactive reimbursement to Day Care for services rendered to children who met its qualifications. January-April payments totaled \$4,830. and were transferred to the EOC Account as community cash contribution. In May EOC informed Day Care that no further DSS payments could be used in this manner. DSS money may be used at the Board's discretion to improve, augment, or supplement program.

DOCUMENTS SUBMITTED TO "HEW" BY THE GLEN COVE
CHILD DAY CARE CENTER, INC., IN ADMINISTRATIVE
APPEAL, WITH A TABLE OF CONTENTS

(Federal Defendant's Exhibits pp. 23-77
[A. 30-84])

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March 16, 1973

Mr. Lester R. Miller, Chairman
Glen Cove Child Day Care, Inc.
6 THE Place
Glen Cove, New York 11542

Dear Mr. Miller:

Based on the information currently available to our office, it appears that your request for an appeal regarding your agency's delegate agency application, should be governed by the procedures applicable when a grantee does not act upon the application of a current or prospective delegate agency within a reasonable period of time.

In view of this, we are requiring that your Board submit the following materials to us:

1. Copies of materials your Board submitted to F.O.C. of Nassau, Inc. in, and in connection with, your application (a copy of your budget application for funding as a delegate agency.)
2. A description of or copies of communications, written or oral, between your Board and F.O.C. of Nassau, Inc. Board concerning your application.
3. If it is your Board's position that the Grantee's failure to act on the application was arbitrary or unfair, please state the reason why your Board takes this position.
4. Any other facts and circumstances which your Board believes relevant to your Appeal.

These written materials are to be submitted to our office within 15 days after receipt of this letter.

Thank you for your cooperation in this matter.

Sincerely,

Josue F. Diaz,,
Assistant Regional Director
for Head Start and Child
Development

✓
bcc: GIF, Reg. Attorney, Chrono,
Read, J. Diaz, E. Danavall,
c. Gionta

GLEN COVE CHILD DAY CARE CENTER, INC.

LINCOLN SETTLEMENT HOUSE

113 GLEN COVE AVE.

GLEN COVE, N. Y. 11542

OR 1-3392

April 3, 1973

Mr. Josue E. Diaz
 Assistant Regional Director for
 Head Start and Child Development
 Department of Health, Education and Welfare
 Region II
 Federal Building
 26 Federal Plaza
 New York, New York 10007

RECEIVED
 APR 5 - 1973

Dear Mr. Diaz:

In answer to your letter of March 16, 1973 we are submitting the enclosed materials for your consideration.

In reference to section 1 of your letter;

The Glen Cove Child Day Care Board Inc. did not submit a budget in application for funding as a delegate agency as we had been informed that since first the Glen Cove EOC and then the Nassau County EOC were the grantees, our Board could not be directly delegated to run the program. We originally applied for the contract as a sub-delegate agency, and this was turned down.

In reference to sections 2 and 3 of your letter, we enclose copies of the minutes of the Board, the Policy Committee, and the Parents Committee Meetings with pertinent sections marked.

We were told by the Nassau County EOC Office that parents of the children in the program had no real voice in the operation of the program, but the history of the Glen Cove Child Day Care Center, Inc. and the records of the minutes of meetings of the Policy Committee, Board and Parents Committee all indicate that the parents involved have had their part in the running of the program from the very beginning.

The parents of children who have been and who are now in the program have persistently asked for the Glen Cove Child Day Care Center Board to have a contract with HEW and now that we understand that we can have a delegate contract that is what we and they want (see attached correspondence).

The Nassau County EOC's accusations about missuse of funds when taken in conjunction with the information in the records of minutes really do not make any sense and we feel are an indication of arbitrary descision making on the part of the Nassau County EOC. (N.B. Board minutes 8/24/72 and notes of meeting on 8/23/72 Policy Com. minutes 4/15/71.)

We hope that these materials will answer your questions. If not, please let us know what else you would like us to submit.

Sincerely,

Lester Miller, Chairman Glen Cove Child Day Care Board

MINUTES of the GLEN COVE CHILD DAY
CARE BOARD MEETING - November 20, 1969

A 32

Present were Mesdames Sloan, Byrnes, Brown, Austin, Reed, Kasindorf and Hudson Mr. Cosgrove, Mr. Davis, Reverend Brusso, Father Alacon, Mr. Bongiorno, Dr. Finley. Also present were Mr. James Couch director of the Glen Cove office of the Economic Opportunity Commission, and Mr. William Johnson, representative to the Nassau County Economic Opportunity Commission. Miss Holly and Mrs. Hersey were excused.

Judge Suozzi called the meeting to order at 8:05 p.m. The first order of business was to appoint someone from the Day Care Board to serve as a representative to the board of the E.O.C. Mrs. Sloan said she would be able to serve and was unanimously elected. Mrs. Hersey will be asked to have a meeting of the Parents' Advisory Committee to select one of their members to serve in the same capacity.

Judge Suozzi then stated that he had received a letter from Dr. Finley, Superintendent of Schools in Glen Cove stating that the room at South School designated for the kindergarten day care program would only be available until September, 1970, at which time it might be needed for other purposes. As considerable expense would have to be gone into to get it ready. There was a question of whether this was feasible or not.

Mr. Couch then said that he and some members of the Day Care Board had met on November 10th to explore the possibilities of finding or building another facility to house the entire Day Care operation.

Mrs. Kasindorf, a new Board member, stated that she was an educational consultant working at the Day Care Center on a volunteer basis. She stated that the present facilities in Lincoln House were inadequate for the children and did not meet the standards of the State Department of Education.

Mr. Davis said that he had been a member of the Day Care Board since its inception and is also a member of the Lincoln House Board. He said that community support had been lacking right from the beginning to find better quarters. Lincoln House was used because it was available.

Mrs. Sloan pointed out that the State Department of Education and the State Department of Social Welfare have different square footage per child standards and that this center is operating under the auspices of the Dept. of Social Welfare.

After a discussion between Judge Suozzi and Dr. Finley Mrs. Brown suggested that we stop arguing and ask what could be done to rectify the situation regarding the room at South School. Dr. Finley suggested that we take the room at South School right now, and that if the room was not available there next year, hopefully room would be found elsewhere in the school system for the kindergarten day care center.

Mr. Couch said that EOC had been told that the day care program at South School would be permanent. An evaluation of the Day Care Center was made by the Nassau County EOC recently. The facilities at Lincoln House just got by last year. This year's contract has not yet been approved, and the state could possibly say that the facilities are not adequate.

The main business of the meeting was then discussed. Should the EOC run the Day Care Center instead of the Board.

Continued Page 1

For the past three months since the resignation of Rosemary Craigmyle, EOC has been making all the decisions and doing all the work. Our funds are handled through EOC, and our contract is with EOC. We could break away if we so wished because we are an incorporated agency and could apply directly to Washington for funds. As an agency EOC is looking for a site for better facilities. Funds are available, but no one had applied for them. Communications between EOC and Day Care have been poor since the resignation of Rosemary Craigmyle. Finding a site for a new Day Care Center should be a community effort.

Dr. Finley asked if formal application had been made to build such a building. Mr. Couch replied that only an application for the funds had been made.

Dr. Finley said that we should look toward the Board of Education. He does not think the youngest children should be housed in an old rundown building. They should have the new building. Judge Suozzi stated that if a new Day Care Center is to built, it must be a community decision between this Board, EOC, the Board of Education, the Lincoln House Board, etc. Mr. Couch stated that Glen Cove ranks fourth in the county in terms of need for better facilities, EOC has alerted Lincoln House, Day Care, and the EOC Board that these funds will be available.

Mrs. Austin reviewed the history of the Day Care board. The Day Care Center was started before the EOC in Glen Cove was ever heard of. She felt that if the present Board is dissolved, the parents would lose a lot. Mr. Couch stated that parents have been consulted about summer head start which is going to become part of full year head start.

Mr. Couch stated that this Board must decide if they wish to be the vehicle to build and govern these facilities. Day Care was founded as a government funded program, which was to be eventually phased out. As yet this has not happened as 80% of our funds still come from the government.

Father Alacon suggested that a study be made and sent to all Board members with all possible options included. Mrs. Dayton agreed that the situation was confused. Judge Suozzi then stated that there are three possible alternatives:

- 1) This Board would be dissolved and become an advisory board under the aegis of the EOC. This is how the other Day Care Centers in Nassau County are run.
- 2) The Day Care Center will separate itself entirely from EOC and operate as an independent, voluntary organization.
- 3) We will continue as we have been doing with everyone on the Board taking more responsibility. A decision will be made at a future meeting.

Judge Suozzi asked Mr. Couch for a copy of the Day Care Centers evaluation done by Miss Joan Tobias of the Nassau County EOC.

It was agreed by all that a real breakdown of communications has existed since Rosemary Craigmyle resigned. No one person could do what she did, so all of us on the Board will have to take more responsibility.

The meeting was adjourned at 10:25 P.M.

Respectfully submitted,

Jeanne C. Dayton - Secretary

Minutes of the Day Care Board Meeting
February 26th, 1970

The meeting was called to order at 8:10 p.m. by Judge Suozzi. Present were Mes. Sloan, Byrnes, Brown, Kasindorf, Joyce, Austin, Lawrence, Kvietok, Holley, Dayton, Wm. Cosgrove, and Dr. Finley. Also present were Mrs. Hersey and Mr. Couch.

The minutes of the January meeting were approved.

Mr. Cosgrove then gave the report of the Nominating Committee. The three vacancies on the Board will be filled by Preston Sinks of Locust Valley, Mrs. Nancy Halsen of Sea Cliff, and Mrs. D. Kvietok of Glen Cove. Mrs. Anthony Austin will be the new corresponding Secretary to replace Mrs. Franck who resigned in November. Upon motion made and seconded, the slate was elected. Mrs. Dayton will notify them and invite them to the next meeting.

The personnel Committee had been asked to get in touch with board members who had not attended a meeting since September. Mrs. Kasindorf reported their findings. That Reverend Simms will send a deputy if he is unable to attend the meetings. Mrs. Reeves, president of the parent officers has asked to be relieved of her duties temporarily as she has a new baby. Mrs. Deregibus will send in her resignation; therefore, the nominating committee was asked to find someone to replace her. Mrs. Holmes is in the hospital.

Submission of the CAP 81 was completed on time thanks to the combined efforts of Mrs. Hersey, Mrs. Kasindorf, Mrs. Joyce, Mrs. Brown, Mrs. Austin, and Dr. Finley.

Arrangements have been made for Mr. Auriello Celardi to audit the books, and permission has been granted by Mrs. Perlin to allow the books to be removed from the EOC office as long as they are returned within ten days.

Regarding the proposed Day Care program at South School Mrs. Kasindorf has been working on safety and other requirements that must be met.

Judge Suozzi then stated that the time has come to form a committee for the investigation and study of Glen Cove's day care needs. This Board and the Staff are too occupied with the day to day running of the Center to have the time to conduct such an investigation. Judge Suozzi will form the committee immediately. Volunteers from this board include Mes. Austin, Kasindorf, Kvietok, and Dr. Finley. From the parent group Miss Tillman will be asked to join. Several names were submitted to Judge Suozzi by Mr. Abraham Krasnoff following last week's joint meeting of the EOC Board and the Policy Advisory Committee of this board. Judge Suozzi asked Mr. Couch and Dr. Finley to have ready a summary of their thoughts on these needs to present to the committee. A motion was made and seconded to have Judge Suozzi form such a committee as soon as possible.

Mrs. Brown suggested that Mobilized Community Resources be contacted for help with the playground. Either Mrs. Schwerin, head of MCR, or Mrs. Barrows, Director of MCR will be contacted by Judge Suozzi. Mr. Couch stated that MCR had been helpful to the EOC in various ways.

Mr. and Mrs. Robert Bernstein then arrived. They are the owners of the Piping Rock Country Day School on Duck Pond Road in Matinecock. The school consist of 12 acres and a large house formerly used by the Locust Valley School District. It has 28 rooms and 15 bathrooms and is fully equipped both inside and out. The Bernsteins have finally obtained a permit to operate a Nursery School from September 1, to June 30th, 9 a.m. to 4 p.m. after five years of litigation. Mr. Bernstein described the legal battle with the village of Matinecock. The Bernsteins also operate a day camp at Eastern Military Academy in July and August which the Day Care children could attend. At present, they have a permit for 114 children on the ground floor. Upon erection of a steel fire escape, 85 more can be accommodated on the second floor.

Mrs. Brown then asked Mr. Bernstein if he would rather sell the property or make it work as a school. He replied that he would rather see it as a school but that he would be forced to sell it for economic reasons. Tuition per child would be \$1560 for a full year which includes transportation, lunch, snack, and instruction by certified teachers.

Judge Suozzi stated that the Board would probably need more time to decide if we could make such a move than the Bernsteins would be able to give us. The budget for such an expanded program would have to be approved first, and it might be August before that is accomplished. At present we are spending approximately \$6560 per month to operate. Mr. Couch stated that we could get 40 children immediately whose tuition would be paid by the Department of Social Welfare if we wished to operate an enlarged facility.

Dr. Finley suggested that the whole matter be studied and volunteered his time to do so.

Mrs. Kasindorf stated that the Day Care Center deals with very young children, and she was not in favor of bussing them out to Eastern Military Academy in the summer. Mr. Couch thought the Bernsteins would eventually get a permit for a year round operation.

Judge Suozzi questioned whether we should bring Glen Cove's problems to a neighboring Community.

Miss Holley asked Mr. Couch if he would offer this facility to other organizations if Day Care does not take it. He said he already had heard from several interested organizations.

Mrs. Kvietok stated that he had been told by Mr. Heggen, Director of the Youth Facilities Construction Bureau for the state that \$400,000 would be available for building a new facility.

Dr. Finley feel that the Day Care Center should be incorporated with pre-kindergarten and Kindergarten and run by the Board of Education. Recent legislation has been enacted for construction, and 50 projects are underway in the state, and 200 feasibility projects are being studied. At the moment, public schools are not permitted to participate. Only non-profit groups and county Social Service agencies may be applicants for actual projects. Mr. Heggen will be in Nassau County on March 6th.

The city owns property next door to Lincoln House which would be a possible site for a new building.

Mr. Couch then said "lets move on it now when the funds are available." The Bernsteins proposal will be considered by the new committee.

Mrs. Hersey then gave her report. Various forms must be submitted. She feels that we are not asking enough funds from the federal government. Mrs. Kasindorf and Mrs. Hersey will go to Dr. Finley office to work on these forms on March 2nd.

The parents are planning a rummage sale shortly. Contributions are needed from everyone.

The next meeting will be on Thursday, March 26, at 8 p.m. The meeting was adjourned at 10:30 p.m.

Respectfully Submitted,

Jeanne C. Dayton
Secretary

Present: Joan Holly, Treasurer; Mary Austin; Thomasina Holmes; Barbara Joyce; Amanda Brown, acting chairman; and guest Rosemary Craigmyle, former Day Care president.

We reviewed in detail Treasurer's two annual reports for the year ending July 31, 1970 and a memo describing the EOC Account and the Special Account to accompany the reports when they are presented to the Board of Directors.

The Annual Report of the EOC Account shows \$61,300 Federal receipts, \$1,000 of which is payment on account of Conversion Grant totaling \$6,785 (\$5,865 Federal and \$898 non-Federal which is computed in volunteer hours). This grant adds funds to Day Care's previously approved grant for the program year ended July 31, 1970. All expenditures under the additional grant were to be made before that date. The bookkeeper made a journal entry on the books of July 31, 1970 charging the relative expense categories with items to be purchased and paid for after that date. The largest part of the Conversion Grant money is for the purchase of a minibus and Miss Ettlinger, of Nassau EOC Staff, is arranging this purchase in conjunction with the purchase of minibuses for other Day Care centers.

EOC contracted to provide \$66,226 for our 1969-70 budget. Since \$1,000 of the \$61,300 Federal receipts was part of the Conversion Grant, Federal receipts were \$60,300, about 9% less than budgeted. Day Care's budgeted and actual community cash contribution to the EOC budget was \$9,456. The Finance Committee recommends that Day Care ask EOC to refund approximately \$850 (9%) of our community cash contribution. The refund should go into the Special Account. The balance on hand July 31, 1970 in the EOC Account is \$1,331, of which \$1,000 is part of the Conversion Grant. With EOC's approval, \$331 could be transferred to the Special Account toward the \$850 refund.

The Annual Report of the Special Account shows a balance on hand July 31, 1970 of \$11,005.29. January-April receipts totaling \$4,830 from the Department of Social Services, reimbursing Day Care for services rendered since August, were transferred to the EOC Account as community cash contribution. In May EOC informed Day Care that no further DSS payments could be used in this manner. Therefore the balance on hand in the Special Account breaks into \$7,861 DSS receipts in May-June-July and \$3,144.29 cash contributions.

The DSS receipts may be used, at the discretion of the Board, to augment, improve, or supplement program. The Finance Committee recommends to the Board for its approval:

1. That Mrs. Hersey be authorized to spend from the Special Account

- a) Up to \$300 on classroom supplies (10% over EOC Budget category)
- b) Up to \$120 on maintenance, health, office supplies,

paper (10% over EOC Budget category)

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- c) Up to \$ for outdoor equipment. This category is not included in the EOC Budget. Joan Holly will discuss it with Mrs. Harsey and will insert a realistic figure here, specifying items to be purchased. We thought it would be \$300-\$500.

- * d) \$50 ~~to secure parent-teacher meeting~~ for Baby-sitting over the EOC Budget figure of \$88 to enable more parents to attend meetings.

2. That the Board authorize payment for insuring the minibus from the Special Account.

In addition, the committee suggests that the Personnel Committee plan a schedule of driver's hours and start interviewing part-time drivers for the minibus.

The Finance Committee also suggests that every member of the Board be given a copy of the EOC Budget in order to be more conversant with Day Care's finances. The Treasurer will present regular monthly reports of the EOC Account and the Special Account and these reports are far easier to understand if one is familiar with the Budget.

To recapitulate, the 1969-70 EOC Budget totaled \$89,984 with Federal share of \$66,226 and non-Federal share of \$22,860. The actual Federal share was \$60,300 as noted above. The non-Federal share was as budgeted, \$13,404 in in-kind contributions (space and volunteer hours) and \$9,456 in community cash contributions.

The EOC Budget for 1970-71 totals \$104,619 with Federal share of \$74,104 and non-Federal share of \$30,515. The non-Federal share calls for \$19,269 in-kind contribution and \$11,246 community cash contribution. It seems advisable to round the community cash contribution figure up to \$12,000 for fund raising purposes.

\$3,144.29 of the balance on hand July 31, 1970 in the Special Account is community cash contributions. This will meet Day Care's cash commitment to the EOC Budget for August, September, and October. Nevertheless, the Finance Committee believes that the fund raising goal should be at least \$12,000 to assure always having regular operating costs of one month in the Special Account as well as carry-over funds into the next fiscal year.

We must start soliciting and receiving cash contributions as soon as our tax exemption status is reconfirmed. The audit of the 1968-69 books will be finished next week and, hopefully, we can then immediately be reinstated with Charities Registration Section of New York State Department of Social Services. Should there be a delay, perhaps contribution checks could be made to Glen Cove EOC-Day Care.

The accountant will audit the 1969-70 books this month and we should then register immediately for the current year. Registration with NYS DSS is required within 6 months of the end of our fiscal year. A situation such as has arisen this past year

is extremely serious and should never be allowed to occur again.
A 39
a number of

The Finance Committee discussed in detail/fund raising ideas/ and agreed on several basic steps.

Five years ago the City of Glen Cove endorsed the concept of and need for Day Care and contributed substantially in making the facilities at Lincoln House usable for this purpose. Since this important aid in Day Care's beginning, the City has not been asked for funds for the same reason that we have done no general fund raising. Until now, primarily because of Junior League contributions and smaller community cash commitments to the EOC Budget, we have not had a deficit and have not had to ask the community for funds. However, it has been pointed out to us that probably every other Day Care Center in the County receives funds from local government. It seems reasonable to believe that the City of Glen Cove would wish to budget funds for Glen Cove Child Day Care Center. We must make the proper contacts toward this end.

We believe we should pursue membership in the United Fund of Long Island and have requested membership application forms to be sent to us even though UFLI admissions have been closed until their funds for distribution have increased. It appears that the earliest we could be accepted for admission is next spring to be included in the 1971 campaign and receive fund distribution during 1972.

We are compiling a list of potential cash contributors. We agreed that soliciting by mail is far less effective than soliciting in person, therefore our list will be selective but include local industry and organizations as well as individuals. We hope that members of our Board of Directors will also contribute for we believe that a donation, large or small, demonstrates that we are backing our own agency.

It was agreed that the Parents Group should be encouraged to sponsor two fund raising events a year (which they actually have done in the past).

Other fund raising proposals were discussed but we did not have time to develop any of them. We agreed that the timing and planning of any fund raising event worth undertaking will require careful thought in order to avoid exhausting the capabilities of our Board members, parents, staff, and friends and to achieve maximum results in both money and public relations. There should be only one such event a year. We plan to meet again to develop one or more of the proposals to report to the Board this fall.

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A 40

MINUTES OF THE GLEN COVE CHILD DAY CARE
BOARD MEETING

January 26th, 1971

The meeting was called to order at 8:35 p.m. by Mr. Johnson. Present were Mrs. Sloan, Kasindorf, Holly, Dayton, Austin, Tillman, Sanders, Smith, Middleton, Stansel, Spann, Joyce, Chamberlain, Kviatok, Reverend Brusso, Judge Suozzi, Mr. Davis, and Mr. Cosgrove. Also present were Mrs. Harsay, Mr. Krakauer, Reverend Sirma, Mrs. Young, members of Glen Cove EOC Board; Mrs. Grant, Williams, Caballero, Zaly, McBride, Burnett, Henderson, and Inman, Day Care parents; Mr. Lamlor, Director of the Glen Cove EOC; Mrs. Ann Ettlinger, and Mrs. Barbara Ramsey of the Nassau County EOC; and Mrs. Elaine Danavall of the Regional Office of Child Development of HEW. Mrs. Brown, Mrs. Byrnes, and Mrs. Holmes were excused.

Mrs. Dayton gave a report on the progress that has been made so far on the new Day Care Center by the Funding Company. The contracts for the purchase of the land from Lincoln House, the contracts with the architect and the attorney have been signed, and the application for seed money is being prepared. The proposal and budget are ready to be submitted to the Nassau Co. Dept. of Social Services next week. Mrs. Kasindorf then gave a report on the proposal and budget. She explained that in writing the proposal, she had included ideas and suggestions submitted by the parents and other interested parties. The budget was prepared by Mrs. Kasindorf with the assistance of many people who were very helpful in finding figures for us.

* EOC of Nassau aware of \$ from DOSS Contract - c.g.

A discussion followed regarding the proposal. Mrs. Kviatok questioned having enough space in a 12,000 sq. ft. building to include a four room health suite. Mr. Davis asked if the building would be an all-purpose type of structure. Mrs. Kviatok replied that the architect had plans for very flexible rooms. Judge Suozzi asked how long a duration the letter of intent would have. Mr. Johnson replied that it would be on a year-to-year basis and stressed that it was the only way it could be done. Judge Suozzi also asked if the building could be erected on property next to the South School, in case the Day Care Center is eventually taken over by the Board of Education. Mr. Johnson replied that we have already purchased the land from Lincoln House, and that we must proceed as quickly as possible.

A motion to approve the proposal and budget for submission to the county was approved.

Mrs. Chamberlain gave the Personnel Committee report. The Personnel Practices have been finished. She will have copies sent to all the members of the Board for approval at the next meeting.

Mrs. Kasindorf reported for the committee designated to review the resume's submitted for the position of educational consultant. As Mrs. Sloan and Mrs. Kasindorf were the only ones who attended the meeting, they felt that more people should be involved in the selection.

Mr. Johnson then stated that the purpose of the meeting was to resolve the issue of the structure of our Board. The staff of the Nassau EOC feels that our Board does not meet the revised guidelines issued by HEW. Mr. Lenior then introduced Mrs. Ettlinger and Mrs. Ramsey, and Mrs. Danavall. There have already been two meetings on the issues, one with the parents and one with the present Policy Advisory Committee and EOC Board.

The Day Care Board now consists of 30 members, 8 of whom are parents. The PAC committee consists of 8 parent officers and 7 Board officers. However, the commission feels that the Board is the actual policy-making organization. Due to an oversight, the sub-delegate contract between the Glan Cove EOC and the Day Care Board has not been signed since Mrs. Craigmyls was president.

Mr. Johnson then introduced Mrs. Danavall. She complimented everyone on the large attendance on such a cold night and also on the fact that we were undertaking a new center through the Youth Facilities Act. She then stated that HEW will push for the best possible program for the children. However, we must meet their guidelines. The corporate Board may not be the policy-making group unless it is restructured. There must be a Center Committee composed of 100% parents, and there must be a Policy Committee composed of 50% parents and 50% community people elected by the parents. The Board could remain as an advisory board.

Miss Tillman commented that the parents main concern is that the Center will be funded and will be able to continue.

Mrs. Young commented on the lack of communication between the EOC and Day Care Boards.

Mrs. Austin then gave out a list of parents who would be willing to serve on the Policy Committee and the names of the community people currently on the Board. Mrs. Danavall said this list was worthless, since the names were not chosen by all the parents.

Father Brusso made a motion to direct Mrs. Hersey to call a meeting of all the parents within the week for the purpose of electing a Policy Committee. He suggested that they use the list submitted by Mrs. Austin in their selection of community people.

Mr. Davis asked what will happen to the present Board. Mrs. Danavall replied that the Policy Committee should be a very small group and would be responsible to the EOC Board since there is no contract at the present time. Father Brusso's motion was approved.

Mr. Johnson stated that all the members of the Board had been giving a strong commitment to young children. Father Brusso stated that the parents should be aware of the caliber of the community people on the present Board.

Mrs. Hersey's report was waived until the next meeting as she was unaware that this meeting was a regular Board meeting.

Mr. Johnson read a letter from the parents committee requesting that funds be withdrawn from the Parent Activity Fund and turned over to their treasurer for purposes needed. Mr. Johnson directed them to send the letter to Mr. Lenior.

The meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Jeanne C. Dayton
Secretary

Minutes of the Day Care Board Meeting
February 4th, 1971

A 43

The meeting was called to order at 8:45 p.m. by Mr. Johnson. Present were Mes. Holly, Austin, Dayton, Kvietok, Mr. Cosgrove, and Mr. Davis, Mes. Chamberlain, Sloan, Kasindorf, and Brown were excused.

Mr. Johnson stated that the meeting was called to discuss the situation with the Nassau County Economic Opportunity Commission. At the parents meeting on January 30th, 1971, the parents selected 12 people to serve on the new Policy Committee, 7 parents, and 5 community people. Parents selected were Gloria Tillman, Ruby Spann, Eleanor Jackson, Beverly Borum, Beverly Christain, Frances Middleton, Bertha Stansel, and Dora Williams(alternate).

The five community people selected were Jeanne Dayton, Amanda Brown, Mary Austin, and two others to be chosen by the Board.

Mr. Johnson read the minutes of this meeting which stated that the parents wish the Board to remain, even though the Nassau County EOC would like the Board dissolved.

Mr. Johnson said that we must have the contract with the Glen Cove EOC as we have had in the past. Mrs. Craigmyle had presented the contract to them at a meeting in January, but they refused to sign until the HEW guidelines are met.

Mrs. Dayton read Mrs. Craigmyles report on the history of the Policy Advisory Committee and some suggestions as to what can be done to solve the problem. There are 3 alternatives: retain the Board with some of its present responsibilities delegated to the Policy Committee; restructure the Board(which would then be the Policy Committee) to include 50% parents and 50% community people; or dissolve the Board completely and have the Day Care Center run by a Policy Committee and the Glen Cove EOC Board. The first alternative was thought to be the best solution, as the second would entail having a new Board each year, as the parents would be different each year.

The addition of the Policy Committee would require several changes in the By-Laws. They are as follows:

(Addition) page 2. Article III Policy Committee

"There shall be a Policy Committee whose authority and responsibility will be that as defined by HEW."

(this wording will cover the present HEW-EOC guidelines as well as any future directives)

(Change) page 4:8 Powers and Duties,

"The Board of Directors shall have the legal and fiscal responsibility of the Corporation and will guide and direct the carrying out of the function of the Policy Committee and staff."

1st paragraph: delete "employ necessary staff and employees"

4th paragraph: delete "employees"

(change) Board of Directors. 1. Number of Directors.

"The Board of Directors shall number thirty (30). They shall have the legal and fiscal responsibility of the corporation and guide and direct the carrying out of the function of the Policy Committee."

(this comes from the HEW Head Start Policy Manual, page 10, A.)

Mr. Cosgrove felt that the Board should make every effort to continue, as it would be unfortunate to turn over the entire operation to inexperienced people. There is also the question of the contracts with Lincoln House and with the Department of Social Services, which currently exist between these organizations and the Glen Cove Child Day Care Center, Inc. Also the city of Glen Cove has contracted to give the Day Care Center, Inc. \$5000.

Since a quorum was not present, no action can be taken. However, it was generally accepted that we should wait and see what the Glen Cove EOC does, and if necessary request a hearing from the Nassau County EOC.

Mr. Johnson then read a memorandum from Mr. Kearse, Executive Director of the Nassau County EOC in response to the charges levelled against the Commission by the NAACP.

Mr. Johnson stated that he felt the Board must be kept intact in order that the Funding Company and the new Day Care Center not be jeopardized. Meanwhile, the Board must find two other people who would be willing to serve on the Policy Committee. Mrs. Dayton suggested Mrs. Craigmyle. Mrs. Austin was asked to contact those selected by the parents to see if they are willing.

The Day Care Center has received a generous donation from Mrs. Frank Sanders of Glen Cove. Mrs. Dayton will write a thank you letter to her.

A motion was passed to approve Mrs. Frances Parlin as the paid bookkeeper for the special Bank Account. This was recommended by the auditor.

A motion was passed to approve the payment of the auditor's bill. This will be paid from the Special Account.

The United Fund of Long Island application was submitted on January 11th, 1971.

The question of the driver for the new bus was raised. The Glen Cove EOC has paid for the insurance and had the bus registered in its name. Mr. Johnson will call Mr. Lenior on this matter, as the bus was purchased by Day Care from Summer Head Start conversion money. Also the bus needs lights and a sign on it for the safety of the children. A motion was made to authorize payment to the bus driver if he is driving only for Day Care.

The meeting was adjourned at 11 p.m.

Respectfully submitted,

Jeanne C. Dayton
Secretary

Present

Parents: G. Tillman, R. Spann, B. Borum, B. Christian, E. Grant; Community members: M. Kasindorf, A. Brown, J. Dayton, M. Austin, R. Craigstyle

A 45

Discussion was held on the process by which this Policy Committee was formed, the duties as outlined in NEW-EOC Guidelines, how this Committee differed from the former Policy Advisory Committee, and the Day Care Board By-Laws changes to enable this Committee to become the policy making body for the Center.

The Committee elected Beverly Borum Chairman, Ruby Spann Vice-Chairman, Jeanne Dayton Secretary. The regular meeting dates of this Committee were set for the first Tuesday night each month at 8 pm and the third Thursday of each month during the day (10:30 am unless otherwise notified).

The Committee felt that in order to assure the most parent participation, the Parents should elect an Alternate for each Parent Member. The Parents group will take care of this at their next meeting.

The Committee composed a letter (see attached) to be sent to Rev. Simms, chairman of the Glen Cove EOC, with carbon copies to the Day Care Board, the Glen Cove EOC Board, Mr. Lenoir, Director of Glen Cove EOC, and the Day Care staff. This letter requested an immediate meeting with the Glen Cove EOC board to discuss and sign a contract.

Discussion was held as to how the funds being received from the Nassau Dept. of Social Services are to be spent. One third of these funds may be spent on improving the existing program. The Committee approved, when it becomes necessary, to spend up to \$300 on classroom supplies, up to \$120 on maintenance, health, office supplies, up to \$500 for outdoor equipment, and \$10 for parent involvement. All these figures would be in addition to what budgeted in the EOC agreement. The rest of the Social Service money can only be spent on expansion of the program; i.e. more children, more space, etc. Money from this expansion portion was approved to be used to pay the salary of the Minibus driver, the operating expenses and the upkeep of the minibus. Mrs. Dayton, President of the new Funding Corp., explained the status of the New Building proposal. Once this building program is approved the Center will really expand.

Mrs. Borum raised the question as to just who was allowed to use the minibus. The Guidelines state Day Care children and Day Care Parents on Day Care business. The Committee felt a Staff member must ride the bus at all times to insure the safety of the children. The Committee also felt that a "School Bus" sign be installed as quickly as possible. Mrs. Borum and Mrs. Austin will check with Mr. Lenoir and follow up on this. The Committee will ask Mrs. Hersey to outline the hours the Center requires the driver and will decide at the next meeting if he should go full-time.

The Committee will ask Mrs. Hersey to present the Staffing pattern, the transportation schedule, and the children's hours attendance at the next meeting, so that the Committee can see the entire picture of the day-to-day operation.

Mrs. Tillman will request, at the next Board meeting, volunteers to accompany the Parent Members to the County EOC Policy meetings.

Discussion was held on the guidelines for upgrading Teacher Aides, complaints from parents, and the program in general.

Next meeting will be Feb. 18th.

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MINUTES OF THE GLEN COVE
CHILD DAY CARE CENTER, INC.
PARENT MEETING - MARCH 10th, 1971

Attendance: Mrs. Middleton, Spann, Tillman, BCaballero, Reed, Inman, Jackson, Cofield, Jones, Christian, Williams, McBride, Borum, Williams, Briscoe, Hersey, and Ojetta Hopkins.

Meeting was called to order by the president, Miss Tillman at 8:05 p.m. Agenda of the meeting was the sub-delegate contract that the Day Care Board wants EOC to sign.

Explained was Day Care Board wants EOC to sign a sub-delegate contract giving Day Care Board the overseeing power to run Day Care. And as of yet, EOC refuses to sign the contract. If the contract is not signed EOC will have the overall power to run Day Care. For parents to come to a decision whether they want the contract to be signed or not we have been invited to a meeting with the EOC Board March 11, 1971 at 8:30 p.m. at the Glen Cove EOC located at 18 Cottage Row. A meeting with Day Care Board has not yet been set up.

The advantages and disadvantages of an EOC ran by Day Care Center was discussed. Points such as centers located in other areas under the supervision of EOC are failing, have much greater problems. What advantages would come about if we did have an EOC ran Day Care Center. The admission that the Day Care Board has done a beautiful job in the functioning of Day Care Center. 25% of the needed funds to operate Day Care are raised through community members on the board. Day Care Board reimbursements are given to the Day Care Board. Day Care Board has a license to operate a Day Care Center. EOC does not have a license to run a Day Care Center. Programs under EOC have not lasted longer than one year. All advantages and disadvantages of an EOC ran Day Care Center and a Day Care Board ran center are to be reviewed.

Mrs. Hersey then explained how Day Care Center is ran. Funds come through OEO (Office of Economic Opportunity), rules come from HEW (Health Education and Welfare). Explained was that the Glen Cove Day Care Center has been under the direct supervision of the Glen Cove EOC.

It was stated that the City of Glen Cove was to donate \$5,000 to the Glen Cove Day Care Center if it were a Day Care Board ran Day Care Center. It was also mentioned that the City of Glen Cove would be responsible for the Day Care Center. The motion was carried and all parents present voted yes.

It was unanimously voted upon that parents would help get the sub-delegated contract for the Day Care Board since the Board structure has been changed to 51% parent members.

Short history of Policy Committee was read and also Fact Sheet, written by Mrs. Craigmyle was read. (See attached sheet)

It was voted upon and acknowledged that the Day Care Center will be closed this summer for six (6) weeks. The exact weeks will be written in the minutes of next months meeting.

The meeting adjourned at 10:15 p.m.

Respectfully submitted

Frances Middleton
Secretary

GLE C. 12 5-11-71
Policy Committee Meeting
April 15, 1971

A 48

The meeting was called to order at 10:45 A.M. by the chairman Beverly Borum. Present were Mmes. Borum, Austin, Craignyle, Kasindorf, and Dayton. Mmes. Jackson, Stansel, and Tillman were excused.

Mrs. Craignyle reported the formation of the Nassau Day Care Council. There will be a N.Y. City Day Care Council meeting in N.Y.C. on May 11th. It is hoped that some people from Glen Cove Day Care will be able to attend.

Mrs. Borum reported that the April 6th meeting was cancelled. She stated that the parents do not seem to be able to make the daytime meetings. This problem will be discussed further at the next Tuesday night meeting. Perhaps we could have both meetings at night or have only one meeting per month.

The minutes of the March 18th meeting were read and corrected.

Mrs. Kasindorf read a letter she had written to the Reverend Odom asking to inspect the premises of his church as a possible location for the Kindergarten Day Care program. Mrs. Hersey reported that she had been asked to get the key so the inspection can take place soon.

Mrs. Hersey was directed to contact Mrs. Borum on all matters pertaining to the day to day operation of the Center.

The matter of baby sitting money for the parents was raised. It was suggested that Mrs. Hersey obtain petty cash more often so that the money will always be readily available.

The EOC Board voted last week to sign the contract with the Day Care Center. The EOC Board will go over the proposed contract tonight, so hopefully it might be signed by next week. Mary Austin is the acting representative from the Policy Committee to the EOC Board. The proposed contract was read by Mrs. Dayton.

A discussion of proper policy for hiring substitutes was discussed. In the future, the director will make every attempt to cover staff absences with parent volunteers. In the event that no parents are available, the Director may at her discretion hire a substitute. A record will be maintained of parent contacts.

Mrs. Hersey reported that the sign and lights for the bus will be ready shortly.

The personnel practices and standing rules were discussed. Since a quorum was not present, they will be adopted at the next meeting. A discussion of the proposed summer vacation policy followed.

An addition to the standing rules will be made as follows: There should be no more than two parents on the Policy Committee who are also serving on the Day Care Board.

Mrs. Hersey stated that more volunteers are needed. An all day training session will be held on the 26th of April. The Day Care Center will be closed on that day.

The meeting was adjourned at 1:45 P.M.

Respectfully submitted,

Jeanne C. Dayton

BOARD MEETING
April 22, 1971

A 49

The meeting was called to order at 8:30 P.M. by Mr. Johnson. Present were Meses. Holly, Austin, Kasindorf, and Reid, and Mr. Cosgrove and Mr. Johnson. Mrs. Sloan was excused.

Tonight's meeting was supposed to be a joint one with the ECC Board and Mr. John Kearsse, Executive Director of the Nassau Co. ECC. However, due to a death in Mr. Kearsse's family, he was unable to attend, and the meeting has been rescheduled for April 29th.

The Glen Cove ECC Board had stated that they would be willing to sign the sub-delegate contract with the Day Care Board if certain conditions were met. These changes were made at the last Board meeting by changing the By-Laws. The ECC Board then voted to sign the contract. However, Mr. Kearsse has now said that they may not sign the contract. Also the Nassau ECC has applied to the Department of Social Services for a license to run all the Day Care Centers in Nassau County. funded by ECC.

A Letter was read from the N.Y. State Dept. of Social Services regarding the renewal of the certificate of incorporation due for renewal in October. Mr. Cosgrove volunteered to take care of it.

A letter was read from Mrs. Craigyle regarding the possibility of severing ties with ECC and turning to the Dept. of Social Services for funding. It was felt that this was a rather drastic step to take as some of the children would no longer be eligible. Mr. Johnson stated that many people have been turned off by this controversy, which may ultimately affect the new Day Care Center. He suggested bringing the matter to the attention of the Nassau County Commission at their next meeting on April 27th. Mrs. Dayton volunteered to go as a representative from the Board and will contact Mrs. Borum and Mrs. Tillman to send someone from the Policy Committee and the Parent's Group.

Mr. Cosgrove suggested that we demand the return of our check-books from ECC. If they refuse, we should open a new account in the Nassau Trust Co. A motion was passed to do this if it is deemed necessary.

Mrs. Kasindorf suggested that a letter be written commending the staff for their loyalty in spite of all the difficulties.

The annual meeting which is usually held in May will be postponed until June when it is hoped the controversy will be settled. The Nominating Committee must be reactivated to select new Board members and to fill some of the offices which will be vacated. Mrs. Reid volunteered to serve on the Committee and also to call the members of the Committee to see if they are still willing to serve. She will also contact Mrs. Tillman for the name of another parent to serve.

The meeting was adjourned at 10 P.M.

Respectfully submitted,

Jeanne C. Dayton, Secretary

GLAD COVE CHILD DAY CARE CENTER, INC.
Policy Committee Meeting
June 1, 1971

A 50

The meeting was called to order at 8:45 P.M. by the chairman, Mrs. Spann. Present were Mrs. Austin, Keschendorf, Spann, and Dayton. Mrs. Porter was excused.

Mrs. Dayton read a letter of resignation from Mrs. Hugh A. Brown. She is resigning since she can no longer attend evening meetings or Thursday morning meetings.

Delegates to the county-wide Head Start Policy Council are Ruby Spann, Dora Williams, and Deborah Williams. There have been some transportation problems in the past which have prevented the delegates from getting to all the meetings.

The question was raised as to whether the Board or the Policy Committee has the final say in matters pertaining to the Center. It was agreed that it depended on the nature of the matter. The day to day running of the Center and the hiring and firing of personnel are the responsibility of the Policy Committee, and the Board has responsibility in legal and fiscal matters. It was agreed by all that the Policy Committee and the Board should work together as closely as possible.

Mrs. Austin reported that the Day Care Center can only be closed from August 16th to September 7th instead of the six weeks previously agreed upon. This will include one week of training, etc. and two weeks vacation. Mrs. Hersey is working on a schedule so that each staff member will have four weeks vacation all together.

Mrs. Austin suggested that the teacher's aide vacancy be filled by a Spanish-speaking person. Mrs. Spann felt that it should be filled by one of the mothers. Fliers have been distributed about this vacancy and also one for a part-time teacher as well as vacancies for children starting in the fall.

Graduation will probably be held on August 13th. Mrs. Spann suggested that each child receive a small gift from the Center.

Suggestions for staff guidelines were made and will be discussed at the next meeting.

The meeting was adjourned at 10:45 P.M.

Respectfully submitted,

Jeanne C. Dayton
Secretary

GLEN COVE CHILD DAY CARE CENTER, INC.
BOARD MEETING
June 24, 1971

A 51

The meeting was called to order at 8:30 P.M. by Mrs. Kasindorf in the absence of Mr. Johnson. Present were Mmes. Austin, Kasindorf, Dayton, and Kviotok and Mr. Cosgrove. Mr's. Byrnes, Miss Holly, and Mrs. Hersey were excused.

Mrs. Dayton read the minutes of the last meeting and they were approved as read. She then read a letter from Mr. Cosgrove in which he stated that the finished questionnaire and proposed certificate of amendment of the certificate of incorporation had been reviewed by the Area Director and submitted to the State Board of Social Welfare for their approval. This certificate will extend the life of the Day Care Center, Inc. from October, 1971 to October, 1973.

Mrs. Dayton reported on the situation with Nassau ECC. The Head Start Committee of the Commission has recommended that the Glen Cove ECC be allowed to sign the contract. However, Mr. Kearse has not yet acted on this recommendation, so arrangements have been made to discuss funding with the Department of Social Services. Mrs. Craigyle had prepared a budget for submission to DSS. A motion was passed to approve the submission of the budget to Mr. Thaler.

Mrs. Kasindorf suggested that the Kindergarten Day Care program be gotten underway this fall. She is investigating the possibility of using the basement in the AME Church as a classroom.

Mrs. Kasindorf gave Mrs. Hersey's report. On June 7th a training session was held for all staff. 35 children and 35 adults went to the Bronx Zoo. Kindergarten evaluations have been very good so far. Mrs. Hersey will get estimates on having the playground fixed up. The proper sign and lights have been installed on the bus.

Mrs. Dayton read the minutes of the Policy Meetings held on June 1st and 17th.

The hiring of the educational consultant, Mrs. Adeline S. Yanuck of White Plains, N.Y. was approved. Mr. Kle will draw up a letter of agreement to be signed by Mrs. Yanuck and the Day Care Board. Mrs. Dayton read Mrs. Yanuck's resume, a job description written by Mrs. Kasindorf, and stated that Mrs. Yanuck and Mr. Kaminsky were planning to meet the next day.

The possibility of some publicity for the new Center was discussed. Mrs. Dayton has been approached by Newsday. It was agreed that some good publicity might help to speed up the proceedings. Mrs. Dayton will get in touch with Newsday.

The meeting was adjourned at 10:30 P.M. Mr. Johnson asked to have the following report added to the minutes as he was unable to be at the meeting. A letter has been written to Mayor DiPaola requesting the \$500 and a letter has been written to the Regional Office of CEO requesting a ruling on the matter of subdelegating the contract. No answers have been received as yet.

Respectfully submitted,

Jeanne C. Dayton
Secretary

A meeting of the Board of Directors and the Parent Group was held on Tuesday, June 27, 1972 at 8 P.M. at Lincoln House. Mrs. Spann called the meeting to order at 8:20 P.M. by introducing Mr. DeGuzman, Chairman of the Head Start Policy Council. She then turned the meeting over to Mrs. Craigmyle, honorary member of the Day Care Board and the first President of the Board of Directors.

Mrs. Craigmyle gave the history of the Day Care Board from its inception in 1965. At this time, a corporation was set up as the Nassau County EOC had requested. The City of Glen Cove put \$20,000 into fixing up Lincoln House. The first Board was composed of parents, a doctor, a lawyer, a teacher, etc., members of the Junior League of the North Shore. The authority to operate the Day Care Center was delegated to the Day Care Board by the Glen Cove EOC through a sub-delegate contract. After that, each contract between the Nassau EOC and the Glen Cove EOC contained a work program stating that the Glen Cove EOC delegated the running of the Day Care Center to the Day Care Board. In 1971-72, the contract stipulated that the program could not be sub-delegated. It was signed in haste without the realization of what it meant. The permit issued by the Department of Social Services to operate the Center and the lease are both with the Day Care Board, Inc. However, the Nassau EOC says there is no Day Care Board and does not recognize its existence, even though the Parents, Board, Policy Committee, and Glen Cove EOC Board all voted in favor of the contract over a year and a half ago.

Mrs. Craigmyle then reviewed the statements made by Mr. Kearse and Mrs. Collins at the meeting on Thursday, June 23rd. She read each statement and then gave the actual facts (see attached) and the sheets were distributed to all Parents and Board members present. Several additional points were made. The reimbursement money currently in a savings account will be used to start the Kindergarten Day Care program as soon as possible. The reimbursement monies will continue to go to the Day Care Board directly. 8 months ago, the Nassau EOC tried to get a license to operate a Day Care Center in Glen Cove, but it was denied by the State Board of Social Welfare since the Board already held a license.

Mrs. Craigmyle stated that in the savings account there is \$10,000 of reimbursement funds and \$5000 given by the City of Glen Cove. At the beginning of this fiscal year, the Special Account had a balance of \$682.00 and ~~the~~ \$6332.00 had been brought in during the year. Mr. Kearse has said that payroll checks will not be signed for the last two weeks or for vacation pay. This was done without proper notice to the Staff. Mrs. Hersey stated that the Board has been paying certain bills for food, classroom supplies, etc. from the Special Account but was reluctant to turn the funds over to the Nassau EOC directly.

Mr. DeGuzman then spoke to the Parents. He guarantees that the program will be run ~~directly~~ correctly according to HEW guidelines. He wants 100% participation from parents and then he will fight for us. The parents must decide whether they want the Center run by the Nassau EOC or the Day Care Board. If they want the Board to continue, they must get out and fight for it. If Mr. Kearse does not accede to the wishes of the parents, then Mr. DeGuzman will take it to the federal government. He stated that it would probably take about a month to get it straightened out.

A question period followed after which the meeting was adjourned at 10:15 P.M.

Respectfully submitted,

Jeanne C. Dayton
Secretary, Policy Committee

The meeting was called to order at 8:45 P.M. by Mr. Johnson. Present were Mrs. Austin, Kasindorf, Sparr, Junita Smith, and Deborah Williams, Mr. Cosgrove, Mr. Davis, Mr. Johnson. Also present was Mr. Wallace Kaminsky, architect for the new Center.

Mrs. Dayton reported for Mrs. Craigyle that the State Board of Social Welfare had approved the application of the Nassau County Economic Opportunity Commission to run the Hicksville Day Care Center only. Glen Cove's application for renewal is on the agenda of the State Board for September.

A motion was approved to hold the annual meeting on the 23rd of September. Mrs. Austin and the Nominating Committee will meet to select new officers and Board members before then.

The minutes of the June meeting were approved with one correction. The City of Glen Cove has agreed to give us \$5000, not \$500. The financial reports were read and discussed. (See Attached)

Mr. Johnson reported that the Executive Committee of the Nassau County EOC had met, and he had brought up the sub-delegate contract question. A letter was read at the June Commission meeting from a Mr. Harry Vega in the Regional Office stating that the Glen Cove EOC is the delegate agency. Mr. Johnson had also written to Mr. Vega and will follow up on this, as he has not had an answer.

Mr. Johnson then introduced Mr. Kaminsky who presented the preliminary drawings for the new Center which must be submitted to Youth Facilities. They are schematic drawings and are based on the program submitted to the Nassau County Department of Social Services. Of the total square footage of the property, 16,000 sq. feet are available for building. Because of the slope of the land, part of the building will be built into the hillside. Mr. Kaminsky stated that these plans could later be eliminated completely or modified to fit the educational program to be worked out by Mrs. Yanuck, the educational consultant with parents, staff, and the director. A motion was passed to approve the plans for submission to Youth Facilities. Mr. Kaminsky suggested that all Board members contact their State Senator and Assemblyman urging them to see that the Youth Facilities procedures are speeded up. Mrs. Dayton reported that the initial seed money application had been approved, and the check should come by the end of July. A discussion of possible sources of mortgages was held. It is illegal for a bank to lend a 100% mortgage on a 90% guarantee which is all the State will give. Another source must be found to guarantee the other 10%.

Mrs. Dayton reported that Newsday will contact us in August for a story on our efforts to build a new Center. She will also revise and submit the story written by Mrs. Hersey for submission to the Record-Pilot.

Mrs. Dayton read the minutes of the July Policy Committee Meeting. A motion was passed to send a gift to Mrs. Hersey who is ill at home.

The meeting was adjourned at 10:45 P.M.

Respectfully submitted,

Jeanne C. Dayton
Secretary

8/2/71

A 54

When the Day Care Board approved the 1970-71 day care budget prepared by Mrs. Hersey and Nassau EOC, and Mr. Johnson signed the Nassau EOC-Glen Cove EOC contract, the Day Care Bd. agreed that the funding would be divided up:

| | |
|---------------|-----------|
| Federal cash | \$75,305 |
| Day Care cash | 11,246 |
| In-kind | (19,269)* |

Mrs. Brown, finance chairman, Mrs. Craigmyle, Mr. Middleton and Mr. Kearse of Nassau EOC met in August 1970 to discuss the community cash necessary for the Center to receive Federal cash. Mr. Middleton and Mr. Kearse agreed that, since the D.C. Bd. was planning various ways to raise the needed \$11,246, our monthly payments into the budget need not be made, as long as 1/2 (\$5,623) was paid by January 1971 and the other half as needed during the last 6 months of the fiscal period (Feb-Aug).

Due to our "sub delegate contract" situation, we held back our funds until it was absolutely necessary to pay our share in order to continue receiving Federal cash. No community cash was paid in until June 1971.

To date, we have contributed \$9,300 (not \$11,246 as agreed originally) and the Federal Govt. has contributed \$68,969. Therefore, of actual cash in the budget, we have contributed 12% and the EOC 88%.

RC

* Space and volunteer hours, plus some supplies and consultants all at no cost to us.

GLEN COVE CHILD DAY CARE CENTER, INC..

POLICY COMMITTEE MEETING

January 17, 1972

A 55

The meeting was called to order at 7:45 P.M. by the chairman, Mrs. Spann. Present were Mes. Spann, Austin, Dayton, Luald, and Kasindorf. Mrs. Hersey was unable to attend the meeting, but had given her report to Mrs. Spann before the meeting.

Mrs. Hersey reported that the afternoon teacher, Colleen Buczak, has been on the staff since September 1st. Her hours are from 1 to 5. Although Mrs. Hersey felt that she deserved a chance to become familiar with daily operation and duties involved in working in a Head Start Center, she has not been doing an acceptable job and has not improved in her dealings with the children. She has also been found to be disloyal to the Center, yet has not been an asset to the program. The Policy Committee unanimously agreed to meet with Miss Bucyk as soon as possible to discuss the situation.

Mrs. Hersey reported the bus to be extremely cold as it is not insulated. The top and sides can be insulated by V. and M. Brothers for not more than \$40.00. It was unanimously approved to have the work done. The person who rides the bus must adhere to the safety regulations; they must ride by the door and not in the front seat. Frank is not supposed to pick up staff members.

It was unanimously agreed to ask Mrs. Hersey for a meeting between the staff and the Policy Committee.

Ida Watson will be the teacher aide to go to college full time with the unanimous approval of the staff. This decision was approved by the Committee.

Mrs. Hersey asked permission to be away from the Center part of one day each week in order to take one of the two courses she needs to comply with N.Y. State certification requirements. The only other time the course is given is on Thursday evenings, which conflicts with the Day Care Board meetings. Permission was granted, provided careful provision is made to have adequate coverage for her.

Mrs. Hersey requested that the Policy Committee speak with Mr. Chisum concerning the quality of the custodial services for the Center. Mrs. Spann will take care of this matter.

The Policy Committee will write a letter to Mr. Diaz of the Regional Office of CEO requesting an appointment to discuss the sub-delegate contract. A letter from the Day Care Board signed by Mr. Johnson was sent in September but no answer has been received.

Mrs. Dayton reported that the plans for the new Center are going into the final stages and should be ready for Board approval on January 27th. All parents have been invited to this meeting.

Mrs. Kasindorf presented the program and budget for the Kindergarten Day Care program. It was unanimously approved by the Committee.

The Policy Committee requests that the Staff hold an Open House for the parents, and that each parent be visited by his child's teacher. The Policy Committee is supposed to meet monthly with the parents. Mrs. Kasindorf suggested asking an educational consultant to speak to the group in the near future.

Mrs. Spann will ask one of the parents on the Committee to be the representative to the Policy Council.

There being no further business, the meeting was adjourned at 9:15 P.M.

Respectfully submitted,

Jeanne C. Dayton, Secretary

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GLEN COVE CHILD DAY CARE CENTER, INC..
POLICY COMMITTEE

March 27, 1972

A 56

The meeting was called to order at 1:10 P.M. by the chairman, Mrs. Spann. Present were Messrs. Spann, Austin, Craigyle, Dayton; Mrs. Hersey, and Mr. James Couch of the Nassau County EOC.

Mr. Couch explained the situation with the Glen Cove EOC. It is in receivership, as are several other EOC's in the County. Mr. Chisum will be working until April 15th. Margaret Bearing will remain on staff, as will Fran Perlin, who will be doing the books for the Glen Cove and Roosevelt programs. The drug program, Project Lifeline, scheduled to begin in Glen Cove April 1st, will continue provided the funds from the State are forthcoming as scheduled. The staff of the drug program has been reduced to three people. The Day Care Center will continue to operate under the direct jurisdiction of the Nassau EOC, rather than the CAP board. The Policy Committee will continue to operate as it has been doing. The Glen Cove EOC will remain in receivership until August 1st. The month of May will be devoted to completing a new CAP board; June will be devoted to training the new board; and July to the hiring of a director.

Mr. Couch then reviewed the structure of our Policy Committee. Each member of the Committee who comes from the community must represent a community organization in the City of Glen Cove. Mrs. Austin will represent the ~~Board~~; Mrs. Craigyle the Lincoln House Board; Mrs. Kasindorf Congregation Tifereth Israel; Mrs. Franck St. Patrick's Church; and Mrs. Dayton, the Women's Auxiliary of the Community Hospital at Glen Cove. There is one opening on the Policy Committee for the chairman of the Parent Group, as Reinold Townsend was not permitted to serve as he was employed by the Glen Cove EOC.

Mr. Couch stressed that the Policy Committee must develop the sub-committees such as education, personnel, child selection, health, etc. stated in the By-Laws for Policy Committees. The chairman of each committee must be a member of the Policy Committee, but the rest of the committee may be made up of other people from the community. It was suggested that each committee have one or two parents on it.

Mr. Couch also stated that he will require a report from Mrs. Spann by May 1st. Items to be included in the report include the educational program of the Center; safety aspects of the program; cleanliness of the Center, especially the kitchen; a review of the registration rolls; any guideline infringements; complete records on each child; the quality of services rendered by the EOC supportive staff; the general attitude of the Center staff, etc.

A discussion concerning Department of Social Services reimbursement followed. Mr. Couch said that DSS will soon require a contract for reimbursement. He questioned with whom the contract would be signed. Mrs. Dayton stated that it would be with the Day Care Board since they are the body licensed to operate a Center in Glen Cove. Next year's cash contribution will be approximately \$8,320.

Mrs. Hersey questioned the role of Mrs. Lydia Fair who has been assigned by the Nassau EOC to oversee the operation of the Center. Mrs. Hersey will work it out with Mrs. Fair and Mrs. Barbara Riley, who is the person at the Nassau EOC to whom this Center should relate.

A discussion followed concerning the request of Mrs. Juanita Smith, a Day Care mother, to use the bus for an excursion to a baseball game. As the excursion has nothing to do with the Center, a motion was passed to deny the request. However, it was suggested that Mrs. Smith contact Nassau EOC about it.

There being no further business, the meeting was adjourned at 3:50

P.M.

Respectfully submitted,

Jeanne C. Dayton, Secretary

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GLEN COVE CHILD DAY CARE CENTER, INC.
PARENTS MEETING
MAY 11th, 1972

A joint meeting of the Parents Group and the Policy Committee was held on Thursday, May 11th at 8:30 p.m. Present were Mmes. Lucille Pittman, Jeannette Luald, Sandra Hilton, Margert Dearing, Eleanor Jackson, Deborah Williams, Linda Garfield, Yvonne Murphy, Norine Ashby, Juanita Burnett, Lorraine Holley, Ruby Spann, Mary Austin, Jean Dayton and Pandora Hersey.

Mrs. Hersey read the report that was submitted to the Day Care Board on the April curriculum. She also mentioned that the children's work will be on display at the Glen Cove library starting Monday, May 15th. All parents are invited to go.

The parents-child trip to the Bronx Zoo will be on Friday, June 16th. The date for the children's graduation was set for June 23 at 10:30 a.m.

The letter that was sent to all parents from Lydia Fair was read and discussed.

Ruby Spann (Chairman of the Policy Committee and a parent) mentioned that the five (5) subcommittees of the Policy Committee had to be set up. The committees are as follows:

Personnel Committee-Will interview all applicants for any open positions. Any problems or grievances of the staff are brought to the Personnel Committee so they can make recommendations to the Policy Committee.

Chairman-Ellen Franck

Members-Juanita Burnett, Jeannette Luald

Education Committee-Reviews all educational matters at the school and ~~to~~ to the other schools to follow-up on the children from previous years.

Chairman-Rosemary Cragmyle

Members-Sandra Hilton, Margaret Dearing

Child Selection Committee-Will review all applicants for the school and decide which children are most in need of the Day Care Center.

Chairman-Jean Dayton

Members-Yvonne Murphy, Lorraine Holley, Linda Garfield

Health Committee-

Chairman-

Members-Norine Ashby, Deborah Williams

Finance Committee-

Chairman-

Members-

None of the above committees have enough members, so a letter will be sent out with a list of the committees and their purposes. Parents are asked to volunteer to be on one of the committees. If we do not have enough volunteers, parents will have to be appointed. PARENTS MUST BE INVOLVED. If mothers would prefer it, the committees could meet at their houses.

Lack of attendance was brought up. The people that attended this meeting are the people who always attend all the meetings. It was proposed the parents make up rules having to do with attendance at the parents meetings. If a mother can take off work and lose a days pay to go on a trip then why can't she make it to one or more of the evening meetings? All parents present agreed on this point.

There will be a picnic for the children and parents on June 24th and school will close at 2:00 that day. All parents are asked to join.

School will be closed on the following days:

May 25 and 26th for the staff to clean

June 7, 8 and 9th for a mandatory training session of several centers. set down by the Commission.

A petition organized by a group headed by Juanita Burnett was sent to Governor Rockefeller calling for his support for the Day Care Centers.

All business being concluded the meeting was adjourned, at 10:00 p.m.

Glen Cove Child Day Care Center
Board of Directors' Meeting
Thursday, June 29, 1972

A 59

A meeting of the Board of Directors of the Glen Cove Day Care Center was held on Thursday, June 29th, 1972. President Johnson presided. Those members who were present were: Mr. Johnson, Mr. Cosgrove, Mr. Miller, the Mesdames Spann, Austin, Reed, Kasindorf, Middleton, Kvietok, Woodberry and Byrnes.

The minutes of the previous meeting were accepted as mailed.

A letter was read from Juanita Burnett, acting president of the parent group requesting the Board to turn over to the E.O.C. account \$8,285 by Friday morning, June 30th. After considerable discussion, Mr. Cosgrove moved that the available funds should be transferred from the Day Care Center's Special Account to the E.O.C. account under protest. Mrs. Kasindorf seconded the motion, motion carried. On consultation with the bookkeeper the amount available was determined to be \$5,000.00. This check was to be given to Mr. Kearney, Director of the Nassau County E.O.C. provided he signed a statement that all the salaries due the staff and other current obligations of the E.O.C. will be paid, otherwise the check would not be made available to the E.O.C.

Following this motion the majority of the parents and Board members left the meeting. Mrs. Kasindorf gave a report on the progress of the Kindergarten Day Care Program being initiated in South School. This program is to be funded by monies received from the Department of Social Service. A motion to use this money for this project was made, seconded and carried.

Mr. Kaminsky gave a report on the new center and after explaining the time table for the next steps, advised the Board that it probably would be the spring of 1973 before the ground breaking would take place.

There being no further business the meeting was adjourned.

Respectfully submitted,

Elizaboth Byrnes
Recording Secretary

Glen Cove Child Day Care Center
Board of Directors' Meeting
July 27, 1972

A 60

The Board of Directors' meeting was held at the Center on Thursday evening, July 27th. President Johnson presided. Those present were: Rosdames Reed, Dayton, Austin, Kasindorf and Byrnes, Mr. Cosgrove, Mr. Miller and President Johnson.

The minutes of the previous meeting were read and corrections made. A motion to accept them as corrected was carried.

President Johnson introduced Mrs. Felice James, the social worker for the newly formed Kindergarten Day Care Program. Mrs. James explained that she is trying to contact the parents of eligible children so that application forms can be filled out and processed by D.S.S. She is experiencing difficulty in locating them because of no phones and the lack of response to letters. The program is tentatively scheduled to commence August 14th at South School.

The problem of transportation was discussed, but no conclusions reached. It was felt that until the location of the enrolled children was known, no arrangements could be made. President Johnson explained that Mrs. Jeanne Davis, the new teacher, was unable to attend the meeting because of an important doctor's appointment.

President Johnson requested that Mrs. Franck give a complete list of all employees for the new program to the Board before the next meeting. He also expressed the hope that all employees had been told that their employment is probational for nine months. Mrs. Kasindorf reported that she has spent approximately \$1,400 in the purchase of supplies. Those include toys, books, blocks, record player, etc. Mrs. James then left the meeting.

Mr. Miller questioned whether the letter requested by the parents and the Board from Mr. Kearse upon the payment of the check for \$5,000 was received. The letter was to have been a promise to pay all due salaries and other commitments. This letter was not received and it was also noted that an additional check of \$2,191.00 was given to Mr. Kearse. Considerable discussion followed concerning the situation between the E.O.C., Mr. Kearse, the Policy Committee and the Board. No definite conclusions were reached but it was felt that the parents are going to have to demand a showdown with the proper authorities of H.E.W. Mr. Cosgrove expressed the opinion that unless a sub-delegate contract is received from Mr. Kearse, Lincoln House cannot allow the program to continue in its building.

Two letters were read. The first a letter from Mr. Cosgrove to Miss Wilhelmina A. Young explaining the intolerable situation existing between the Day Care Center and E.O.C. The second was written by Mrs. John D. Maxwell, President of the Board of Directors of Lincoln House, to Hon. Philip V. Sanchez, Director of the Office of Economic Opportunity in Washington stating that Lincoln House has no contract with the E.O.C. and that this situation must be rectified.

The annual meeting will be held in September. Mrs. Austin, Chairman of the Nominating Committee, was asked to present the new slate of officers to be elected at this meeting.

There being no further business, the meeting was adjourned at
11:15 P.M.

Respectfully submitted,

Elizabeth Byrnes
Recording Secretary

Glen Cove Child Day Care Center, Inc.
Board Meeting
August 24, 1972

A 62

The meeting was called to order by Mr. Johnson at 8:30 P.M. Present were Mmes. Sukman, Spann, Austin, Reed, Kuistok, Dayton and Messrs. Johnson, Cosgrove and Sawyer. Mmes. Kasindorf and Byrnes were excused. Also present were Mrs. Jeanne Davis and Mrs. Joan Wallace of the Kindergarten Day Care staff.

Mrs. Dayton read a letter from Mrs. Kasindorf, who could not be present, stating that the parents should make suggestions for possible Board members. Mrs. Spann volunteered to contact the parents on this matter.

Mrs. Davis and Mrs. Wallace were introduced and spoke of their plans for the Kindergarten Day Care program. At present the children are enjoying a summer type program. The regular kindergarten program will start when school begins. In the afternoons more individualized instruction will be given. There are 14 children enrolled at present. Mrs. Sukman stated that she was very impressed with the caliber of the staff. She will work with Mrs. Davis on the structured part of the program.

The problem of transportation was discussed. Some Board members felt that the Day Care Bus, which belongs to the Glen Cove EOC, should be used to transport the kindergarten children. Mr. Johnson asked that the EOC put it in writing that the bus cannot be used. Meanwhile, a Mrs. Trentin is driving the children until school starts. The Lincoln House bus can be rented on a weekly basis after it is put into shape.

A possible budget for the Day Care program at Lincoln House was discussed. Based on 16 children eligible for D.S.S. reimbursement, the budget would be \$41,000. Staff would consist of 1 Teacher-Director, 1 Full-time teacher, 1 Full-time Aide, 1/2 time Aide, 1/2 time cook, 1/2 time clerk, and the bus driver. This limited staff will be chosen by a committee appointed by Mr. Johnson. The committee consists of Mrs. Spann, chairman, Mrs. Austin, Mrs. Reed, and Mrs. Sukman. Mrs. Spann stated that she felt the staff would be loyal to the Day Care Board, rather than EOC. A motion was passed to approve the budget for submission to D.S.S.

A motion was passed to approve the submission of Form SA-632 of the University of the State of New York, a request for additional funds for food and kitchen equipment for the Kindergarten Program.

A motion was passed to approve amended proposed Personnel Practices, as taken from former practices with D.S.S. guidelines in mind. A motion was passed to approve Blue Cross coverage of the kindergarten staff.

The proposed slate for the 1972-73 Day Care Board was discussed. If you have any suggestions for possible Board members, please submit them to Mrs. Austin at once. The annual meeting will be held on Thursday, September 28th. Mrs. Austin will be in charge.

The Policy Committee and Parents' request for an emergency meeting of the Nassau EOC was discussed. Mrs. Washington had been nominated for Chairman of the Commission for another year, but has been since removed from the list of nominees. Therefore, Mr. Johnson feels that she would be unable to call a special meeting of the Commission now. He requested that the Parents and Policy Committee attend the annual meeting of the Commission on September 21st. He also suggested that the Head Start mothers "March on the Commission" to get the EOC money back to Glen Cove.

Mrs. Kuyetok asked if Mr. Kearse's charges of misuse of funds was the reason for closing the program. Mr. Johnson replied that it was one of several reasons given. The Board felt that the charges in Newsday on August 12th had been answered satisfactorily in the Record-Pilot of August 17th. The audit of the Center's books is being conducted, and a copy will be sent to the Mayor's office. A financial statement for the fiscal year 8/1/71 - 7/31/72 will be prepared for distribution to the Board members.

A motion was passed to approve the transfer of funds from the Special Savings Account to the Special Checking Account to be used in the kindergarten program.

A motion was passed to approve writing a letter to the Head Start parents stating the current situation and urging them to do all they can to get funds restored. Mr. Johnson asked Mrs. Dayton to write the letter.

Letters were read from the Lincoln House Board to Mrs. Washington enclosing a copy of the letter written by them to Mr. Philip Sanchez, Director of the OEO in Washington; from Mrs. Washington to the Lincoln House Board stating that neither she nor her Board gave any authorization for the actions of Mr. Kearse; and from Mr. Clennie H. Murphy, Jr., Chief, Regional Support Division, OCD-HEW in Washington stating that the matter had been referred to Mr. Diaz, Assistant Regional Director of OCD-HEW in New York.

There being no further business, the meeting was adjourned at 11:15 P.M.

Respectfully submitted,

Jeanne C. Dayton
First Vice-President

Mr. Miller, President of the Glen Cove Child Day Care Center Inc., called the special meeting to order at 8:40 P.M. on Thursday, Oct. 5, 1977.

Those present were:

Mary Kasindorf
Wm. Johnson
Ruby Spann
Dr. Schadt
Deborah Williams
Mary Austin

I.B. Kwielek
Charlotte Zloczower
Pandora Hersey
Naomi Sukman
Dora Williams
Jeanne Davis

A

64

Old business was the first item on the Special Agenda.

Mr. Johnson directed his remarks to the consideration of our relations with E.O.C. and/or the Dept. of Social Services. He suggested the Board check thoroughly the DSS guidelines and follow through. If that is the Department to save our center. Mr. Johnson reviewed the problems with E.O.C. and the erroneous charges placed by Mr. John Kearse, against the Glen Cove Day Center Inc. regarding funding.

The President, then asked for a general review of the DSS guidelines and funding.

Mrs. Hersey gave a general review of the DSS guidelines: Parents must be working or in school. DSS pays \$10 per day per child. A child may be absent from the program for 10 days per month before payment is withheld. Present enrollment at Lincoln House is 19 children.

Mrs. Spann spoke in favor of applying for a delegate contract for the CCD Center Inc. Discussion followed regarding a Delegate Contract. Complete financial and statistical reports to be taken to HEW in order to establish the complete functions of the Board of the Glen Cove Center Inc.

Mrs. Kasindorf made a motion that a letter, applying for Delegate Contract, be sent to Mr. Diaz directly- The appeal is for a Delegate Head Start Contract. The motion was seconded and the board noted its approval of this action.

President Miller, stressed the importance of including a statement that the Program--remain a Glen Cove Child Day Care Program."

Mr. Johnson made the following motion: The Glen Cove Child Day Care Board is to continue to operate the program in a manner to serve the best interests of this community. The motion was seconded and passed by the Board.

Pres. Miller asked for a motion that we presently continue to function as a DSS Program. Mr. Johnson made the motion it was seconded by Mrs. Sukman and the Board passed the motion.

Discussion then moved to the present enrollment of 19 children at Lincoln House as opposed to the 40 children enrolled last year (1971-72) under EOC funding. Mrs. Hersey explained that OSS eligibility requirements are responsible for some of the drop off. She also reminded the Board members that the extended Public School Pre K program did now serve many of our possible students. The Pre K program now operates from 9 - 3 P.M.

Mrs. Austin made a positive suggestion: She suggests that a new survey, by the Center be planned, a survey and student recruitment programs for the Day Care Center. Mrs. Austin suggest flyers be made up and distributed to Churches, Clubs, and Civic Organizations. The flyer would notify families of the services available at Lincoln House. Mr. Miller appointed Mrs. Austin, Mrs. Hersey and Mrs. Davis to make up this publicity recruitment flyer. Mrs. Sukman volunteered to contact Dr. Finley and arrange for distribution through the Public Elementary Schools. Remaining flyers to be distributed to Churches and Temples, and other organizations in Glen Cove.

Mrs. Spann then asked for discussion of "Christmas Fund". Mr. Johnson offered to write a letter suggesting Glen Cove Day Care Children be adopted for the Grumman Xmas Project. Christmas Fund discussion was then tabled until we have a further reply from Mr. Johnson.

Under item: New Business Mrs. Kasindorf introduced Dr. Schadt as a new "Community Person" for the Board. Dr. Schadt is to serve on the Poling Committee and the Funding Committee.

Mrs. Kasindorf also suggested a Board Squad be set up, in order to notify members of emergency meetings. The suggestion was tabled until the next meeting. Next regular meeting to be the forth Thursday of the month, Thursday October 26, 1972.

Meeting was adjourned at 10:25 P.M.

Respectfully Submitted,

Jeanne Davis
Acting Secretary

This article on Daycare was written after the article in Newsday was published Aug 13 1972

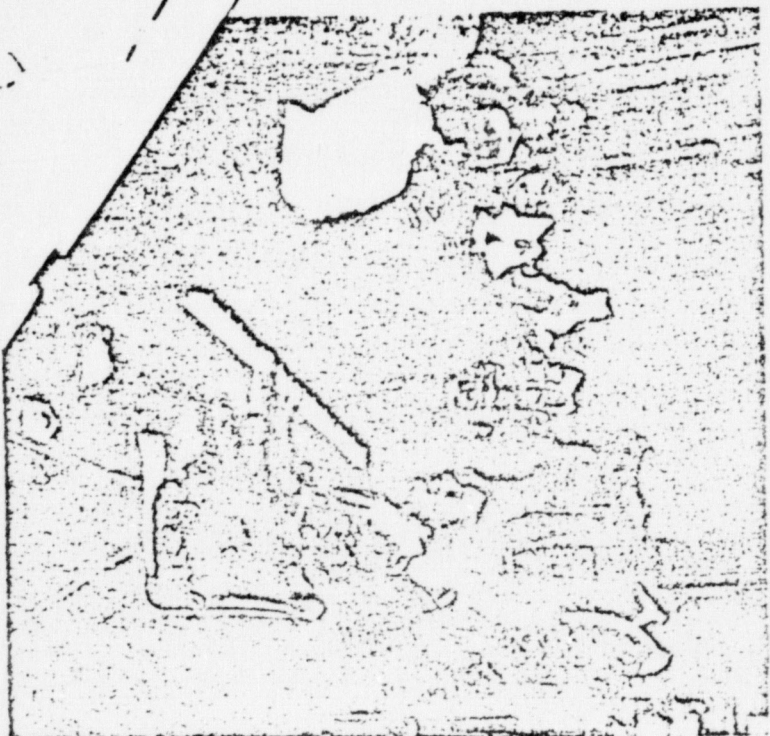
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★ ★ ★ CORVING THE NORTH STAR

Vol. 97 No. 27 Glen Cove, N.Y. 11542 Thursday, August 17, 1972



Kindergarten program are students and are Center representative Mrs. Rose- Mrs. Joan Wallace, teacher's aide, and piano, lend assist. Center is currently alleged possible funding charges by county

Day care center funds stopped by county EOC

Citing alleged misuse of funds and "double-funding," John Kears, executive director of the Nassau County Economic Opportunity Commission, has ordered the EOC to cut off funds to the Glen Cove Child Day Care Center. The center is currently operating two centers in the city, one at Lincoln House for three and four-year-old children, and one at the South School for kindergarten age children. At the present time, the center provides day care and schooling for 40 children, including 13 whose parents are receiving welfare assistance.

Kearse's charges stem from the fact that the day care center is receiving federal as well as county funds for the program. The Nassau County Department of Social Services (DSS) gives the center, through Kearse's office, \$7 a day per child for every child from a "welfare home." That amounts to approximately \$630 a week.

The federal government through the Department of Health, Education and Welfare (HEW) provides money to the center in addition to the county funds. Neither the DSS or HEW attach any strings to their money received for the program. Each agency gives money to the county EOC for disbursement to a dozen EOC centers in Nassau County. Kearse's charges, according to Mrs. Rosamary Craigmyle of the day care center, are based on EOC guidelines.

Mrs. Craigmyle outlined the situation in simple language: The father gives the daughter her

allowance for the week, stating that she deserves it and doesn't care who else gives her any additional allowance. The mother does the same, but the older brother stops in and takes the mother's allowance away, stating that he felt the father's allowance was enough.

The day care center for three and four year olds was established under the county EOC in October, 1965. The kindergarten program began this week after five years of serious planning and investigation. In fact, the initiation of the day care center and the discussions of the kindergarten date further back than the founding of the local Glen Cove Community EOC on Cottage Row.

The day care center in Glen Cove, located at Lincoln House on Glen Cove Ave., was the first such center founded under the county EOC. In the past seven years, a dozen centers have sprung up around the county, but only Glen Cove's and Long Beach's centers are receiving funding from the DSS because only they meet the state standards, according to Mrs. Craigmyle.

Kearse placed a number of restrictions on DSS funds sent to the Glen Cove center through his office. One is that only one-third of the funds be used for operating expenses and that two-thirds be placed in a holding fund and used for expansion purposes. Mrs. Craigmyle stated that the new kindergarten was such an "expansion" of the center since it had to be housed in the South

(Continued on Page 151)

Adelose Reed

1972

Day care funds stopped

(Continued from Page 1)

School and brought in older children.

Kearse reportedly claimed he has been unable to establish an "accountability" of how funds are being spent. Mrs. Craigmyle stated that until last February, the Glen Cove center sent fund-spending information to the county EOC on a monthly basis and only stopped doing so because the center received a written request from the county EOC not to do it anymore.

Mrs. Craigmyle commented on the fact that Kearse was claiming he had ordered an audit to be conducted shortly. She claimed that a yearly audit is mandated by the State Board of Social Welfare, and that the audit has to be conducted within five months of the end of the fiscal year, July 31. She also pointed out that the yearly audits are on file with the state, the county DDS, and with the United Fund. The only period of time Kearse may not have known specifically where the money was going, Mrs. Craigmyle said, would be the past six months—since it was only then that the monthly account forms were not sent to the EOC offices because the EOC did not want

facility further. They hope to be allowed to build a separate facility capable of accommodating 120 children, 80 more than they have now.

Plans for September include expanding the two facilities, day care and kindergarten, up to about 58 children. Of that number, 40 would be participating in the day care center at Lincoln House and 18 would be in the kindergarten at South School. More than 50 per cent would be children from "welfare families," according to Mrs. Craigmyle.

The power structure of the day care center is basically this: the center at the bottom, reporting to the Glen Cove EOC, which reports to the county EOC, which reports to the regional EOC in New York City, which reports to the federal EOC. The Glen Cove Child Day Care Center is the only one of its kind allowed in Glen Cove by the state, since it is the only one with a State Board of Social Welfare permit. Also, the center and not the EOC has the contract with Lincoln House for the current and planned facilities.

The matter of "double-funding" is still rather vague. Questions have been raised over whether Kearse has the power to cut off the funding or whether he is basing that power on an executive permission given him last March to close down the Glen Cove EOC for restructuring. The question of double funding itself is complicated, with Kearse claiming that the center is using both federal and county money for the same purpose and the center claiming that there are no strings attached to using the money and claiming that without both grants to fund the complete program, the program could not be run at all.

"We expect to find the matter resolved by the EOC county commission when the commission knows the facts," Mrs. Craigmyle said. "We are sure there have been misunderstandings and some misinformation and that all this will be settled shortly."

Meanwhile, she said that the Glen Cove Child Day Care Center is still "very much in business and has no intention of closing down."

Between 20 and 25 per cent of the Glen Cove centers' funds and expenses are raised through donations and volunteers. This includes outright cash donations, space, volunteer hours, supplies and other items and programs. The rest of the funds come from the federal government and the county, with HEW carrying the bulk of the load.

Every year, the center is required to report to Albany what funds are being used for what. The required form is DSS 497 and it is kept on file for inspection. Richard Ornauer, DSS spokesman, reportedly stated that the county DSS is currently contemplating sending actual funds through Kearse's office for all of the EOC centers except for Glen Cove, which he felt might merit a separate contract.

At the present time, the center directors are seeking all the permissions and approvals necessary to expand the Lincoln House

8-3C

A 68

GLEN COVE CHILD DAY CARE CENTER, INC.
LINCOLN SETTLEMENT HOUSE
113 GLEN COVE AVE.
GLEN COVE, N. Y. 11542
OR 1-3392

February 10, 1971

The Reverend O.E. Simms
Chairman
Glen Cove Economic Opportunity Council
Glen Cove, N.Y.

Dear Reverend Simms,

The Glen Cove Child Day Care Center now has a Policy Committee according to HEW guidelines. The Head Start Center Committee (parents of children currently enrolled in the Day Care program) met on Saturday, January 30, 1971 and elected 7 parent members and 5 community members to the Policy Committee.

The by-laws of the Day Care Center, Inc. are being changed to establish this Policy Committee as the policy making body of the Day Care Center. The Policy Committee met on February 9, 1971 at 12:30 P.M. and elected Mrs. Beverly Borum as chairman, Mrs. Ruby Spann as vice-chairman, and Mrs. Jeanne Dayton as secretary. Other members include Mmes. Gloria Tillman, Frances Middleton, Beverly Christian, Eleanor Jackson, Bertha Stansel, Deborah Williams(alternate), Mary Austin, Amanda Brown, Rosemary Craigmyle, and Mary Kasindorf. The Policy Committee decided that the Committee will meet on the first Tuesday of the month at night and the third Thursday in the daytime. Special meetings can be called by the chairman or any three members when necessary.

This Policy Committee respectfully requests a meeting to be held at noon with the Glen Cove EOC Board within the next week to discuss and sign the Head Start Contract.

Sincerely yours,

Beverly Borum
Beverly Borum, Chairman

c.c. Head Start Center Committee
EOC Board Members
Day Care Board Members
Mr. Juan Lenoir
Day Care Center Staff

*Appeal for (sub)del
states*

September 15, 1971

Mr. Josue Diaz
Child Development
16 Federal Plaza
New York, New York

Dear Mr. Diaz,

A representative from our Day Care Policy Committee, our Board, and our Parent Committee would appreciate meeting with you at your earliest convenience.

As you are aware, the Nassau EOC has refused to sign a sub-delegate contract with the Day Care Center. As at the local level, parents and others who are vitally interested and closely connected with this well-run and responsible program, cannot understand the refusal.

The Parents Committee voted to have the Glen Cove Child Day Care Center, Inc. the sub-delegate agency, the Policy Committee voted the same, as did the Day Care Board and the Glen Cove EOC Board. There are other Centers, in Westchester in particular, which operate under sub-delegate contracts. Our corporation is the only one legally authorized to run a day care center in Glen Cove. The parents want it this way.

The Glen Cove Child Day Care Center, Inc. was established in Oct. 1965, at the request of the newly organized Nassau EOC, to operate a day care program in Glen Cove. That first year, 1965-66, the Glen Cove EOC contracted with the CCCDC, Inc. to provide day care services; and each year subsequent we were assigned that duty, in the proposal approved by Nassau EOC. I quote from the 1966-71 proposal: "The Full Year Full Day Head Start Program Account is delegated to the Glen Cove Child Day Care Center, Inc. This agency pioneered in the provision of Day Care services for target area residents prior to the inception of the E.O.C. They were, therefore, an ideal agency for the conduct of the program."

The Center's original Board was composed, as requested by EOC, of representatives from the sponsoring agency, local government, schools, the legal, accounting, religious and medical professions, service and minority groups. Also, four of the first Board Members were parents. Each year, new parents have been elected members; some former parents have remained members. The Officers of the Parent Committee were automatically board members and members of the Executive Committee, which served as the Policy Committee--half parent, half non-parent. This Policy Committee set-up was changed this past year to conform to new NEM-EOC guidelines, and the Center's By-Laws were changed to incorporate the Policy Committee's authority, duties and responsibilities.

We have established the Glen Cove Child Day Care Fund Co., Inc. and submitted a proposal to the Youth Facilities Construction Bureau to erect a new center to serve the children. Last month we received financial feasibility approval and a "ready money" check. Detailed plans are now being drawn up for further approval.

Please inform us what date would be convenient for us to meet with you on this sub-delegate contract situation. Thank you so much for your interest and assistance.

Sincerely yours,

William J. Johnson, Pres.
Glen Cove Child Day Care Center, Inc.

Jan. 20, 1971

Mr. Joane Diaz, Dir.
Child Development
26 Federal Plaza
New York, N.Y. 10007

Dear Mr. Diaz,

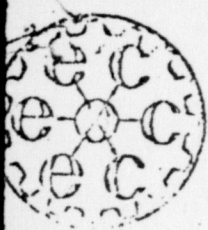
The Policy Committee of the Glen
Cove Child Day Care Center, Inc. res-
pectfully request a meeting with you
as soon as possible.

This is in reference to a desired
sub-delegate contract, as outlined in a
letter to your office from Mr. William
Johnson, President of the Center, dated
September 15, 1971.

Please notify us as soon as
possible when a delegation from our
Policy Committee could meet with you.

Sincerely yours,

Ruby Spann
Chairman, Policy Committee



A 72

ECONOMIC OPPORTUNITY COMMISSION OF NASSAU COUNTY, INC.
320 OLD COUNTRY ROAD, GARDEN CITY, NEW YORK 11530 • 516 741-8811

JOHN L. KEARSE, EXECUTIVE DIRECTOR

FARRELL JONES, CHAIRMAN

January 27, 1972

Glen Cove EOC went into receivership

Reverend Obadiah L. Simms
11 Craft Avenue
Glen Cove, New York

Dear Reverend Simms,

At the community wide meeting of Tuesday, January 25th which was held at South Sencer at 8:00 p.m. and which was attended by some 75 persons, I left the Community with several alternatives and indicated that the first of these alternatives would have to be completed by February 15th, in order to have a March 1st reorganization for a contract renewal of funding for the program. The alternatives were as follows:

1. That those vacant slots on the Board be petitioned to be filled by the 15th of February. In line with these alternatives it was suggested that a Community Election Committee be chosen, in order to complete these programs. Therefore, Mr. Willie Chisum from your staff and Mr. Dominick Badolato, from the Commission staff be given the responsibility to assist you and the community in the selection of 5 persons to serve on this Election Committee. If this alternative is acceptable the program can continue functioning until such time as the Board is fully seated and trained to implement the program.
2. That the Agency close down for 30 days or until such time as a new Board is chosen and a new director is hired. This alternative would mean that present staff would get termination notices on the completion of the seating of the Board - the hiring of a new director, they would be subjected to be rehired if that was the decision the Board more importantly the director.
3. That the program close down and that the period from February through June be used for petitioning a new Board, seating of the Board, extensive train-

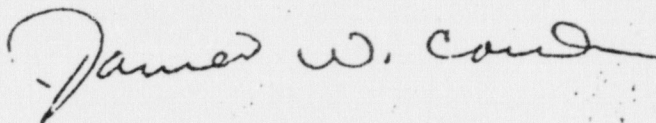
ing of the Board, a total community public relations campaign on the problems in the community and the priorities that should be dealt with by a new program and the hiring of a director who would reflect the leadership capabilities in order to carry the program through the next two years at least. This time period would allow the program to be determined and the proper direction given to bringing in the facts.

4. That the Commission take the programs into "receiver-ship" which would mean that the responsibility in terms of fiscal, programatic and legal matters would rest with the Commission. Under such a program Head Start would continue under our umbrella. The Drug Program, if determines to be an effective program in the community, would also continue under our supervision. Present staff would be terminated and a Commission staff person or persons would be assigned to the Agency in order to assist in the developing of the Board and the direction of a new program.

In conclusion these are the alternatives. I would suggest that you call together those existing members of the Board to relate this message to them and in assistance with your Community Election Committee determine which one of these courses of action you are going to persue and get back to me and answer by February 4th.

Feel free to call on me for any clarification you need on this matter.

Sincerely,



James W. Couch
Associate Director for
Program Implementation

JWC cj

cc: Willie Chisum

Dominick Badolato

A 74

GLEN COVE CHILD DAY CARE CENTER, INC.

LINCOLN SETTLEMENT HOUSE

113 GLEN COVE AVE.

GLEN COVE, N. Y. 11542

OR 1-3392

June 23rd, 1972

Mr. Luis DeGuzman, Chairman
County-Wide Policy Council
Economic Opportunity Commission of Nassau County, Inc.
320 Old Country Road
Garden City, New York 11530

Dear Mr. DeGuzman:

We the parents group of the Glen Cove Child Day Care Center Full Year Head Start Program have given the legal and fiscal situation in our program much thought and have discussed it. In a parent meeting on June 27th, 1972 the parents voted that they want the Glen Cove Child Day Care Board, Inc. to be that body which will have the legal and fiscal responsibilities for Head Start Program in Glen Cove. The parents plans to construct the Board to number 18 members - 10 parents and 8 community people to be elected by parents. The Board shall have one representative to the Policy Committee of the center and one representative to the local EOC Board. The Policy Committee shall have one parent representative to the Board. The Chairman of the Policy Committee shall have a seat on the Board.

On March 10th, 1971 the parent group voted for the Day Care Board to have the legal and fiscal responsibilities for the Head Start Program since the structure of the Board was to be 50% parents.

On April 22, 1971 the local EOC Board stated that they would be willing to sign a sub-delegate contract if certain conditions were met. These conditions were met by changes made in the Day Care Board's By-Laws in March 19th, 1971. The EOC Board then voted to sign the contract.

June 24th, 1971 the Head Start Committee of the Nassau County Economic Opportunity Commission recommended the signing of the sub-delegate contract with the Day Care Board by Mr. Kearsse; he refused to accept recommendation.

On Saturday January 30th, 1971 the parents met to form the Policy Committee. Parents were elected and 5 community persons were nominated and voted upon by ballot. The first meeting of the Policy Committee was February 9th, 1971. Since then the Policy Committee has functioned according to the HEW Guidelines.

Sincerely Parent Group,

Jeanette Barrett

AMERICAN OPPORTUNITY COMMITTEE OF HADRAM COMPANY, INC.
340 OLD COUNTRY ROAD, GARDEN CITY, NEW YORK 11530 • 516 741-1211

JOHN L. KEARSE, EXECUTIVE DIRECTOR

FAULINE WASHINGTON, CHAIRMAN

July 3, 1972

Mrs. Juanita Burnett
Acting Chairman of the
Parent Group
Glen Cove Head Start
113 Glen Cove Ave.
Glen Cove, N.Y. 11542

Dear Mrs. Burnett:

This is to acknowledge receipt of the \$5,000 check to be deposited in the Glen Cove Full Year Head Start accounts towards the non-federal cash requirement on this program year (8/1/71-7/31/72) budget.

Mrs. Hersey also related that other program costs of \$1,857.04 have been paid, in cash, up to June 1972. As soon as this has been documented by bills and cancelled checks, this will also be credited towards the non-federal cash requirement on the budget. With these credits, there still remains an amount of \$1,427.96 due to meet the total \$3,285 cash requirement. Your total cash commitment for this year's budget was \$6,985 of which you previously reported having put \$700 in program. This left the \$3,285 figure as the balance due as of June, 1972.

As far as the reimbursement from Department of Social Services is concerned, there has been an obvious long standing misinterpretation of how these monies are to be used, and by whom.

I am enclosing herewith a copy of the original agreement worked out by us with the Department of Social Services and OGD/HEW. Additional copies are included for your Policy Committee also.

As you can see by the letter, the reimbursement money is to be used primarily for program operating expenses for serving additional youngsters. This is not the case in Glen Cove. There is also the warning that we are to avoid "double funding" of services. In other words, the same child cannot be paid for by HEW/OGD funds and Social Services funds, as this is illegal. This is the case in Glen Cove.

*Kearse is not fully accurate
Per -cg.*

Mrs. Juanita Burnett

July 3, 1972

The Commission originally allocated \$75,025 of federal cash to your program, based upon serving 40 children. Our records showed, as of 6/14/72 that we had allocated \$69,000 of federal cash to your program for those 40 children, leaving a federal cash balance of \$5,175 due through 7/31/72. However, we discovered that you have been receiving Department of Social Services reimbursement on 18 of those same children since 8/1/71, or 46 weeks thru 6/15/72 at the cost of \$7.00 per child, per week. Our figuring on these facts revealed you received, or should have received a total of \$5,796 from the Department of Social Services.

In order not to continue to increase the amount of double funding, which will extend back to the time when the Department of Social Services contract began, we have to withhold the federal cash due as per your budget for this year, to equal the amount you collected from the Department of Social Services. Our records indicate we are about \$800 off. (Department of Social Services paid \$5,796 - we are not giving you \$5,175.) What this means, is that the Day Care Board will have to spend the cash it has to run the program through July 31, 1972 which will further decrease the double funding overpayment due back to the Department of Social Services for the time prior to 8/1/71. In as much as neither you, the Policy Committee, nor, the Commission, has access to the Day Care Board's accounts and records, the extent of overpayment will have to be determined by the Audit which the Department of Social Services will be performing.

Finally, we are still insisting that the Policy Committee and the Glen Cove E.O.C. Board are the local controllers of the Full Year Head Start Program. We do not intend to provide your program with a Head Start Budget as of 8/1/72 unless we are satisfied that the Policy Committee structure, relating to the local E.O.C. Board. This does not preclude the Day Care Board acting in the capacity of "Friends of the Center or Advisory Group," but it does preclude them from controlling the program and its funds. This will be the only way that the local E.O.C. and the Commission can be assured of proper fiscal, legal and program accountability which we must have for HEW/CCD, our primary funding source.

A 77

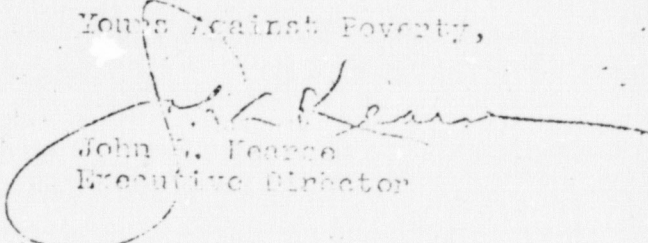
-3-

Mrs. Juanita Burnett

July 3, 1972

I am hoping that this letter will help your parents and Policy Committee in making its decision which we will require by no later than July 15, 1972. Our staff stands ready to assist you in any way we can. The Commission nor its staff are your enemies, however, we must protect the entire Full Year Head Start Program in Nassau County and its funding. Glen Cove right now, is jeopardizing what.

Yours Against Poverty,


John E. Pearce
Executive Director

JLK:ed

cc: Mr. James W. Couch
Ms. Glenda Collins
Mrs. Pandora Hersey
Mr. Luis DeGuzman

A 78

GLEN COVE CHILD DAY CARE CENTER, INC.

LINCOLN SETTLEMENT HOUSE

113 GLEN COVE AVE.

GLEN COVE, N. Y. 11542

OR 1-3302

August 10, 1972

Mr. John Kearse
Nassau County Economic Opportunity Commission
320 Old Country Road
Garden City, New York 11530

Dear Mr. Kearse:

We are writing in reference to your letter of August 3rd.

Although you have threatened before to withdraw funds for various reasons, we did not think you would go through with it. We have fulfilled our budget requirements and upon receipt of your letter of July 3rd, both the Parents and Policy Committee sat down together, with the guidelines from OCD-HEW, and discussed the structure of our Policy Committee. We find we meet the guidelines and the Parents wishes in every way. We want to stress that at no time in the past, present or future, has or will the Board and the Policy Committee been one and the same. These are two completely different and separate bodies.

Another thing we must bring into focus at this time, is that for you not to pay our staff for invalid reasons, is illegal according to the guidelines that you keep stressing upon us. We have been in constant contact with the staff to see if they had or have received a letter terminating employment, and as of Monday, August 7th, the staff had not received any notice terminating employment starting August 1st. We pointed out once before, but we will point it out again, that according to the EOC Personnel Practices, professional staff must be given 30 days notice upon termination of employment. We also feel that this action cannot be taken by yourself but only the Commission Board and the Policy Council have the right to do this. So in our beliefs, we have kept the Center opened, with the staff in full cooperation, because we feel that your mistake will be corrected immediately.

Sincerely yours,

Ruby Spann
Chairman of the Policy Committee

Glen Cove Child Day Camp, Inc.

A 79

Lincolnville House

113 Glen Cove Avenue

Glen Cove, New York 11542

Policy Committee Members 1971-1972

Parent Members

| | | |
|--------------------|---------------------|----------|
| Ruthanna Davenport | 62 School Street | 676-6660 |
| Laetitia Wilson | 16 Young Avenue | 671-7291 |
| Haydee Mojica | 3 Mason Drive | no phone |
| Maria Acevedo | 16 Carney Street | no phone |
| Bertha Adams | 7 Mason Drive | 676-6793 |
| Kathleen McGrou | 27 West Glen Street | no phone |
| Ruby Spenn | 62 School Street | 676-6660 |

Community Members

| | |
|-----------------------|---------------------------------------|
| Mrs. Millen Nickolson | 7 Austrial Avenue |
| Mrs. Winifred Burke | c/o Community Hospital Glen Cove |
| Dr. Annin Schack | 35 Continental Place |
| Mrs. Vera Krchaner | c/o Bell Corporation Sea Cliff Avenue |
| Mrs. Riley Johnson | c/o Book Pub 9 Bridge Street |

A 80

351 North Columbus Ave
Freeport, New York
August 17, 1972

Glen Cone Lumber Settlement Inc
113 Glen Cone Avenue
P.O. Box 175
Glen Cone, N.Y. 11542

Dear Mr. Maxwell,

I Chairman of the Economic Opportunity
Commission of Nassau County gave no authorization
for the actions of Mr. Kease. My Board gave no
authorizations for such action.

Under the circumstances I deem it wise
you take what ever lawful steps necessary to
right this great wrong.

You are fighting an adversary with many
contacts. I hope you much success.

Sincerely,
Pauline Washington

August 23, 1972

A

81

Mrs. Paulina Washington
Chairman of the E O C Board
35 Columbus Avenue
Freeport, New York

(of Nassau County, Inc.)

Dear Mrs. Washington,

We are the parents of the Glen Cove Child Day Care Head Start Program. Our children have been in attendance from one to two years until July 31st, 1972. We are the parents of the children who are eligible for the Head Start Program.

On August 7th, we were notified that no funds were available for the coming new year by Mr. John Kearse, due to the fact that we did not meet the HEW by-laws. As parents, to the best of our knowledge, we were within our by-laws.

Mr. Kearse has accused us publicly of double funding. In Mr. Kearse's letter of July 3, 1972, addressed to the acting President of our Parents Group, Mrs. Juanita Burnett, he states that he had, at that time, withheld the federal cash due us for the budget year that ended in July, 1972. We do not understand why Mr. Kearse refused to fund our new fiscal year.

According to HEW by-laws, the parents have the right to ask for whom ever they want to work with them on the Policy Committee and the Day Care Board. The community people on the Board have worked with the parents in going into training, adult education and to give the parents the encouragement they need to better themselves in working, school and raising their families. We feel that our community people have taken a great interest in our children and the parents in any help they needed. We are asking the Commission Board to review our request to allow our Board to run our Head Start Program.

We are the parents that have worked ourselves off welfare, and we are very afraid that we will have to go back on welfare if the Head Start Program is not funded by September 5. We cannot afford to pay baby sitting fees for our children and when we are working our children are not eligible for the Day Care Center under the Department of Social Services Guidelines.

We are begging for your immediate help in this matter because we do not want to go back on welfare and we want our children to have the education we did not have. We are also concerned about those children and parents who would have been entering the Head Start Program in the fall and no longer are eligible under the Department of Social Services Guidelines.

We are sending you copies of all the letters and newspaper clippings in reference to this matter.

Copy of letter sent to all
Head Start mothers -

GLEN COVE CHILD DAY CARE CENTER, INC.

A 82

LINCOLN SETTLEMENT HOUSE

113 GLEN COVE AVE.

GLEN COVE, N. Y. 11542

OR 1-3392

August 28, 1972

Dear Mrs.

The Executive Director of the Nassau Economic Opportunity Commission has informed the Glen Cove Child Day Care Board that he will not give any Head Start funds to Glen Cove. This was his decision, not that of the Commission or Mrs. Washington, Chairman of the Nassau EOC.

Since there can be no Head Start program for Head Start children without Head Start funds until the matter is straightened out, we are sorry but your child cannot attend the Center at Lincoln House.

The Day Care Policy Committee, some Day Care Parents, and the Day Care Board have been trying desperately to get these funds back. If you would like to fight this along with us, please call and complain to Mr. earse at the Nassau EOC office at 741-8811 or better yet Miss Gionta at the Regional Office of HEW at 212-264-4437 or Mrs. Alexander at 212-264-4122.

After almost seven years, we ^{are} terribly sorry to have to shut the Day Care Center's doors to some of the Glen Cove children. Let's work together toward opening them again quickly!

(The Center will be open, but only for a few children whom the Department of Social Services will pay for. If you think your child might be eligible for this DSS reimbursement of services, please call Mr. Calahan at the Nassau Department of Social Services)

Sincerely yours,

William J. Johnson, President
Glen Cove Child Day Care Center, Inc.

Lester R. miller
6 the place
Glen cove, N.Y. 11542

Miss Caroline Gianta
Office of Child Development, H.E.W.
25 Federal Plaza, New York City 10007

A 83

Dear Miss Gianta:

The Glen Cove Child Day Care Board, Inc., the parents of children presently in the program, and the parents of children who because of ineligibility, can no longer be served since the withdrawal of Head Start funds we are appealing directly to you for the Glen Cove Child Day Care Board to be the delegate agency for Glen Cove. The Board is basing this appeal on its right under section 604, E.O.C. Act as our appeals and requests to the E.O.C. Commission of Nassau County have not been acted on in a reasonable length of time.

The Board has been operating the program at 113 Glen Cove Avenue both with and without contract with the local E.O.C. Board since 1965. At present our center is serving those children eligible under D.S.S. guidelines. This expansion of our program was undertaken in direct response to requests from parents of children in the center in previous years. These parents had been unable to obtain suitable full day programs for their children in Glen Cove once they had started kindergarten in the public schools.

We are concerned about the children who do not meet D.S.S. guidelines and for whom no provisions exist in Glen Cove since the Head Start funding has been withdrawn.

We respectfully request your assistance in this matter. The Board has maintained a worthwhile program in the past in Glen Cove and is committed to doing so in the future.

Very truly yours,

Lester R. Miller
Lester R. miller

p.s.

this is my second attempt to contact you on the above matter .

NOV 22 1972

Mr. Josue Diaz
Assistant Regional Director Region II
Office of Child Development, H.E.W.
26 Federal Plaza, New York City, 10007

NY - NEW YORK

Dear Mr. Diaz:

The Glen Cove Child Day Care Board, Inc., the parents of children presently in the program, and the parents of children who because of ineligibility, can no longer be served since the withdrawal of Head Start funds we are appealing directly to you for the Glen Cove Child Day Care Board to be the delegate agency for Glen Cove. The Board is basing this appeal on its right under section 604, E.O.C. Act as amended. The Board is directing this appeal to you at this time as our appeals and requests to the E.O.C. Commission of Nassau County have not been acted on in a reasonable length of time.

The Board has been operating the program at 113 Glen Cove Avenue both with and without contract with the local E.O.C. Board since 1965. At present our center is serving those children eligible under D.S.S. guidelines. This expansion of our program was undertaken in direct response to requests from parents of children in the center in previous years. These parents had been unable to obtain suitable full day programs for their children in Glen Cove once they had started kindergarten in the public schools.

We are concerned about the children who do not meet D.S.S. guidelines and for whom no provisions exist in Glen Cove since the Head Start funding has been withdrawn.

We respectfully request your assistance in this matter. The Board has maintained a worthwhile program in the past in Glen Cove and is committed to doing so in the future.

Very truly yours,

REGIONAL OFFICE DECISION LETTERS OF MR. DIAZ

(Federal Defendant's Exhibits pp. 78-86
[A. 86-92])

August 30, 1973

Mrs. Myrna Adams, Board Chairman
Economic Opportunity Commission
of Nassau County
State University College of
Old Westbury
Westbury, New York 11590

Dear Mrs. Adams:

The Office of Child Development has received and processed an appeal from the Glen Cove Child Day Care Center, Inc. Board of Directors, pursuant to the denial of refunding by the Economic Opportunity Commission of Nassau County of the Glen Cove agency. The Office of Child Development has determined that the denial of refunding was improper based on the following:

1. That the EOC of Nassau County, Inc. submitted an application for Program Year "G" (August 1, 1972 to July 31, 1973), which indicated that the OS 187 (Delegate Agency Summary Information) that the Glen Cove Child Day Care Center, Inc. would be the Delegate Agency operating the Head Start program in Glen Cove. The OCD never gave its approval for any change in the sponsorship or the operation of the Glen Cove program. The denial of refunding of the Glen Cove agency is a violation of the work program approved for the EOC of Nassau County.
2. That the EOC of Nassau County did not provide the Glen Cove Child Day Care Center, Inc. a reasonable opportunity to correct the defects and deficiencies alleged nor did the grantee submit evidence that it provided appropriate technical assistance with respect to the correction of the alleged defects and deficiencies.

Since we are at the beginning of a new Program Year, the Office of Child Development is expecting the Economic Opportunity Commission of Nassau County to fund the Glen Cove Child Day Care Center, Inc., as the legitimate Delegate Agency for the operation of the Head Start program in Glen Cove, New York. A Special Condition is being placed on your grant to this effect. (See Attached)

A 87

If there are any questions regarding the contents of this letter please do not hesitate to contact this office.

Sincerely,

Josue E. Diaz
Regional Program Director
for Child Development

cc: J. Kearse, Exec. Dir.
Glenda Collins, HS Dir.
Jean Love, PC Chairman
Lester Miller, Bd. Chairman, Glen Cove Child Day Care Center, Inc.
Ruby Spann, Policy Comm. Chairman, Glen Cove Child Day Care Center, Inc.
Angel Rivera, Regional Director OEO

GLEN COVE

SPECIAL CONDITION

The delegate agency, which will operate the Head Start program in Glen Cove, New York, shall be the Glen Cove Child Day Care Center, Inc. This agency formerly operated the program as a sub-delegate of the Glen Cove Community Action Program. As stated in the Office of Child Development's letter to the grantee, dated August 30, 1973, the agency was improperly denied refunding.

The grantee shall enter into contract with the Glen Cove Child Day Care Center, Inc., to be the delegate agency for Head Start in Glen Cove, New York and such contract shall be submitted to the Regional Office of Child Development for approval prior to its execution.

If a contract is not signed by the aforementioned parties by October 1, 1973, funds allocated for the operation of the Head Start program in Glen Cove, New York shall revert to the Office of Child Development for its disposition.



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION II
FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10007

September 20, 1973

OFFICE OF
CHILD DEVELOPMENT

Mrs. Myrna Adams, Chairman
Board of Directors
Economic Opportunity Commission of Nassau County
State University College of Old Westbury
Box 210
Old Westbury, New York 11568

Dear Mrs. Adams:

Reference is made to our letter of August 30, 1973, concerning the appeal submitted by the Glen Cove Child Day Care Center, Inc. (GCCDCC) pursuant to the denial of its Head Start refunding by the Economic Opportunity Commission of Nassau County, Inc. (EOC).

The regional decision, referred to in the aforementioned letter, was based on an interim review of written material submitted by EOC and by GCCDCC in reply to letters from us requesting documentary evidence pertaining to the appeal. We are enclosing the material sent to us by GCCDCC in support of their appeal, and concurrently, we are sending to GCCDCC the material forwarded to us by EOC pertaining to the appeal. Please note that you may, within 14 days of the date of this letter, make a formal written request for review of the decision by Mr. Saul Rosoff, Acting Director, Office of Child Development, who will render a final decision. Upon receipt of your request for review, Mr. Rosoff will contact you, outlining the procedure to be followed.

Presently, there are no official administrative procedures for the processing of delegate agency appeals. Our agency is currently in the process of developing these. Meanwhile, we have followed a course of action whereby both sides are given an opportunity to present their case in writing, and we, in turn, have an opportunity to assess the arguments with objectivity and fairness.

If you opt to request a review by the Acting Director of OCD, we will hold in abeyance the Special Condition referred to in our letter of August 30, 1973, until the final decision is issued and we will ask that you hold in escrow all Federal monies earmarked in your application and grant for the operation of a Head Start program in Glen Cove until a final determination is made.

Mrs. Myrna Adams

- 2 -

September 20, 1973

A written request for review of the decision may be sent to:

Mr. Saul Rosoff
Acting Director
Office of Child Development - DHEW
Post Office Box 1182
Washington, D. C. 20013

Please send copies to this office of any communication you may have with our Washington office concerning this case.

Sincerely,

Josue E. Diaz
Regional Program Director
for Child Development

Enclosures (to original addressee only)

cc: John L. Kearse, Executive Director, EOC
Glenda Collins, Head Start Director, EOC
Jean Love, Head Start Policy Council Chairman, EOC
Lester Miller, Board Chairman, GCCDCC
Ruby Spann, Policy Committee Chairman, GCCDCC
Angel F. Rivera, Regional Director, OEO
Saul Rosoff, Acting Director, OCD

bcc: Bernice L. Bernstein, Regional Director
David Grossman, Asst. Regional Director for Community Services
James Robinson, Director, Project Head Start, OCD
Clennie Murphy, Chief, Regional Support Staff, OCD
✓ Elaine P. Danavall, Supervisory Community Representative, OCD
✓ Caroline Gionta, Community Representative, OCD



A 91

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION II
FEDERAL BUILDING
28 FEDERAL PLAZA
NEW YORK, NEW YORK 10007

September 20, 1973

OFFICE OF
CHILD DEVELOPMENT

Mr. Lester Miller
Board Chairman
Glen Cove Child Day Care Center
Lincoln Settlement House
113 Glen Cove Avenue
Glen Cove, New York 11542


Dear Mr. Miller:

Reference is made to our letter of August 30, 1973 (copy of which was sent to you) concerning the appeal submitted by your agency, the Glen Cove Child Day Care Center, Inc. (GCCDCC) pursuant to the denial of your Head Start refunding by the Economic Opportunity Commission of Nassau County, Inc. (EOC). Enclosed is copy of our letter of September 20, 1973 sent to the EOC pertaining to the appeal.

The regional decision, referred to in the August 30 letter, was based on an interim review of written material submitted by EOC and by GCCDCC in reply to letters from us requesting documentary evidence pertaining to the appeal. We are enclosing the material sent to us by EOC pertinent to the appeal, and concurrently, we are sending to EOC the material forwarded to us by you in support of your appeal.

Please note that the EOC may, within 14 days of the date of this letter, make a formal written request for a review of the decision by Mr. Saul Rosoff, Acting Director, Office of Child Development, who will render a final decision. At such time when Mr. Rosoff receives the request for a review from the EOC, he will contact them, and you, outlining the procedure to be followed.

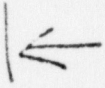
Presently, there are no official administrative procedures for the processing of delegate agency appeals. Our agency is currently in the process of developing these. Meanwhile, we have followed a course of action whereby both sides are given the opportunity to present their case in writing, and we, in turn, have an opportunity to assess the arguments with objectivity and fairness.

If the EOC opt to request a review by the Acting Director of OCD, we will hold in abeyance the Special Condition referred to in our letter of August 30, 1973, until the final decision is issued. If such be the case, 

Mr. Lester Miller

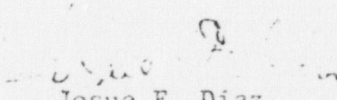
- 2 -

September 20, 1973

we will ask that the EOC hold in escrow all Federal monies earmarked in their application and grant for the operation of a Head Start program in Glen Cove until a final decision is made. 

Please send copies to this office of any communication you may have with our Washington office concerning this case.

Sincerely,


Josue E. Diaz
Regional Program Director
for Child Development

Enclosures (to original addressee only)

cc: Myrna Adams, Board Chairman, EOC
John L. Kearse, Executive Director, EOC
Glenda Collins, Head Start Director, EOC
Jean Love, Head Start Policy Council Chairman, EOC
Ruby Spann, Policy Committee Chairman, GCCDCC
Angel F. Rivera, Regional Director, OEO
Saul Rosoff, Acting Director, OCD

RECEIVED

September 24, 1973

SEP 26 1973

Mr. John L. Kearse
Executive Director
Economic Opportunity Commission of
Nassau County, Inc.
106 Main Street
Hempstead, New York 11550

Dear Mr. Kearse:

Thank you for your visit to my office and your letter of September 12, 1973.

As I promised during our visit, I have checked into our Office of Child Development and find that it does not have, nor has it in the past, an adversary approach towards the Economic Opportunity Commission of Nassau County, Inc.

They agree with my office, and I hope you will agree, that it is our mutual responsibility and need to achieve a prompt and just determination of the longstanding issue involving the Glen Cove Child Day Care Center (GCCDCC). As you know, both you and our OCD staff have been hampered by our Department's delay in promulgating official administrative appeal procedures. The lack of such procedures, however, in no way negates the statutory right of appeal vested in a delegate agency under Section 604 of the Economic Opportunity Act of 1964, as amended.

As a result of my inquiry, our Office of Child Development forwarded, on September 20, 1973, to Mrs. Myrna Adams, Chairman of the EOC Board (with copies to you and other interested parties) formal advice that EOC may request that the Acting Director of our headquarters Office of Child Development review the decision made by OCD at the regional level. Upon receipt of such a formal written request, the Acting Director of OCD, Mr. Saul Rosoff, will communicate with you, and with GCCDCC, setting forth the procedure to be followed.

Page 2 - Mr. John L. Kears

I trust that the review by our headquarters Office of Child Development will afford you a just opportunity to submit all information or evidence you believe should be weighed in arriving at a final decision.

Please be assured of our continuing commitment to the programs and services about which we share mutual concerns.

Sincerely,

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Bernice L. Bernstein
Regional Director

cc: Josue E. Diaz, OCD

JEDiaz:OCD: 9-21-73

Rewritten:BLBernstein/mw/9-24-73

CENTRAL OFFICE LETTERS OF MR. ROSOFF

(Federal Defendant's Exhibits pp. 87-92
[A. 96-101])

ATTACHED COPY RETYPED FOR CLARITY

October 11, 1973

Mrs. Myrna Adams, Chairman
Board of Directors
Economic Opportunity Commission
of Nassau County, Inc.
106 Main Street
Hempstead, New York 11550

Dear Mrs. Adams:

In my letter of October 5 to you, I advised that you would shortly be provided with the procedures which we would be following in the matter of the denial of refunding of the Glen Cove Child Day Care Center, (GCCDCC) as a delegate agency of the Economic Opportunity Commission of Nassau County, Incorporated (EOC). The procedures which will be followed in the review of this case with any of the parties will always be provided to the other party and the New York Regional Office.

As Acting Director, I will review the case and render a final decision to either sustain or not sustain the decision of your agency to deny refunding to GCCDCC. The basis for the decision will be a determination of the reasonableness and fairness with which EOC acted in denying refunding to GCCDCC. Unless it is found that EOC acted arbitrarily and unfairly, the decision to deny refunding will be sustained. In the event that the decision of EOC to deny refunding is not sustained, it will be possible, among other alternatives, for GCCDCC to submit an application to the New York Regional Office for consideration of direct funding as a Head Start grantee. Approval of such an application could result in an appropriate reduction of funds to EOC.

The record in this case which I will be reviewing will consist of the following: (1) the written material submitted by EOC and GCCDCC which was forwarded by the New York Regional Office to each party as an enclosure to Mr. Diaz' letter of September 20; (2) any rebuttal to the written material of the other agency described in "1" which EOC or GCCDCC wishes to provide to me, but not later than October 25, 1973; (3) any additional information furnished in response to a specific request by the Acting Director, OCD.

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Should additional information be requested, there will be an exchange of the information with all parties with an additional period for rebuttal to the new material.

Not later than 30 days following receipt of the entire record, a final decision will be made. In order to assist in the preparation of the response described in item "2" above, EOC and GDCDCC may have the assistance of legal counsel. A party which does not have an attorney acting in that capacity as a regular member of its staff or on a retainer arrangement, may, by action of its Board of Directors, so designate an attorney. Fees for such an attorney shall be reasonable and customary fees for the locality, but may not exceed \$100.00 per day. Please contact the New York Regional Office for details on using grant funds to defray costs for an attorney if this is necessary.

Please note that you must furnish me with any comments you wish to make regarding the materials enclosed in Mr. Diaz' letter of September 20 not later than October 25. If you have any questions or problems, please call Mrs. Dolores Garner at (202) 755-7800.

Sincerely,

Saul R. Rosoff
Acting Director
Office of Child Development

cc: Mr. Lester Miller

| | |
|------------------------|----------|
| Borge Varmer | Robinson |
| Josue Diaz | Rosoff |
| Nathan Spiller | CHRON |
| Clennie H. Murphy, Jr. | |
| Delores Garner | |

AHolland:VWilson: 10/11/73

OS/CD Holland
OS/CD Murphy

OS/CD Rosoff

OS/CD Spiller

NOV 12 1973

Mrs. Myrna Adams, Chairman
Board of Directors
Economic Opportunity Commission
of Nassau County, Inc.
106 Main Street
Hempstead, New York 11550

Dear Mrs. Adams:

By letter dated October 5, 1973, I acknowledged the receipt of the letter from Economic Opportunity Commission of Nassau County, Incorporated (EOC) dated September 24, 1973 requesting the formal review of the decision of Region II Office of Child Development dated August 30, 1973, relative to the Glen Cove Child Day Care Center (GCCDCC).

By letter dated October 11, 1973, I transmitted the procedures that would be followed for the purposes of the appeal.

Neither EOC nor GCCDCC submitted any additional material. Accordingly, I have reviewed the written material as submitted to the Regional Office in March and April, 1973.

Please be advised that I concur with the views of the Regional Office and sustain its decision transmitted to you by letter dated August 30, 1973 from Mr. Josue E. Diaz, Regional Program Director for Child Development. It is my finding that the written record as submitted by your agency does not establish defects and deficiencies in the administration and operation of the GCCDCC as your agency appears to allege. It would follow that the denial of refunding of the GCCDCC by your agency would appear to be arbitrary.

In the event that you do not wish to continue as grantee with respect to the GCCDCC, I will suggest that the Regional Office obtain an

- 2 -

application for direct funding from the CSCDCC and that the funding of your agency be adjusted accordingly.

Sincerely,

Saul R. Rosoff
Acting Director
Office of Child Development

cc: Mr. Lester Miller
Mr. Josue Diaz
Mr. John L. Kearse
Ms. Jean Love
Mr. Angel Rivera

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A 100

Office of Human Development

March 11, 1974

Mrs. Myrna Adams, Chairperson
Board of Directors
Economic Opportunity Commission of Nassau County, Inc.
State University
College of Old Westbury
Box 210
Old Westbury, New York 11568

Dear Mrs. Adams:

In our letter of February 8, 1974, we advised you that we would be in communication with you concerning the disposition of earmarked funds in EOC Grant Actions G/H0 and H/H0 (H/H1 and H/H2) for the Glen Cove Head Start program covering Program Years August 1, 1972 to July 31, 1973 and August 1, 1973 to July 31, 1974.

During these two program years, EOC has been under official instructions from us not to expend any of these earmarked federal funds until the appeal of the Glen Cove Child Day Care Center, Inc. was settled. Mr. Kearse was initially advised in our letter of February 23, 1973 that the federal monies allocated in Grant Action G/H0 (\$76,750) for the Glen Cove Head Start program were to be held in escrow. However, on Grant Action G/H3, we approved the transfer of \$3,000 from this account to be transferred to the Long Beach Head Start Center. Therefore, for Program Year "G", you should have in escrow a total of \$68,750 in federal funds.

In our further communications with you on August 30, 1973, we enclosed a copy of a Special Condition attached to Grant Action H/H0 (p. 6) stating that funds allocated for the operation of the Head Start program in Glen Cove shall revert to the Office of Child Development for its disposition if a delegate agency contract was not signed by EOC with GCCDCC, Inc. Similarly, Special Conditions were placed on Grant Actions H/H1 (p. 8) and H/H2 (p. 8) stipulating that \$25,582 and \$51,168 or a total of \$76,750 would be reduced from your grant if EOC did not contract with the GCCDCC, Inc. as the delegate agency for the Glen Cove Head Start program.

| OFFICE | SURNAME | DATE | OFFICE | SURNAME | DATE | OFFICE | SURNAME | DATE |
|--------|------------|------|--------|---------|------|--------|---------|------|
| CC | W.K. R. M. | 3/15 | | | | | | |
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| | | | | | | | | |

FILE
COPY

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A 101

Mrs. Mirna Adams

- 2 -

March 11, 1974

Therefore, a total of \$145,500 in federal funds will be deobligated from your current operating program year, reducing your level of approved program (LAP) to \$936,400 for Program Year "H". Your LAP for Program Year "I" will be \$1,005,150.

Sincerely,

Elaine P. Danavall
Acting Regional Program Director
Office of Child Development

cc: Mr. John Kearse, Executive Director
Mrs. Olga Bzdyk, Head Start Director
Mrs. Jean Love, Chairperson

bcc: Mr. Saul Rosoff
Mr. Elwood Taub
Mrs. Margaret Holmes
Mr. Nicholas Cordasco
Ms. Caroline Gionta
GIF

E. Danavall (C.GIONTA) :mjt

Chrono Reading

FILE
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| OFFICE | SURNAME | DATE | OFFICE | SURNAME | DATE | OFFICE | SURNAME | DATE |
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MEMORANDUM OF UNDERSTANDING RELATING TO THE
HEAD START PROGRAM

MEMORANDUM OF UNDERSTANDING ✓
RELATING TO DELEGATION OF PROJECT HEAD START

To implement the delegation of powers and authorities under section 222(a)(1) of the Economic Opportunity Act of 1964, as amended (EOA), to administer Project Head Start, to the Department of Health, Education and Welfare (DHEW) by the Delegation of Authority under section 602(d) of the EOA from the Office of Economic Opportunity (OEO), dated _____, 1973 and approved by the President on _____, 1973, for so long as this program is funded under the authority of the EOA, OEO and DHEW agree as follows:

1. DHEW shall maintain a quality, comprehensive Head Start program, including, but not necessarily limited to, physical and mental health, educational, parent involvement, nutritional, and social service activities, as provided for in section 222(a)(1) of the EOA.
2. Funding for Head Start projects shall be provided as prime grants, to such public or private non-profit local agencies or organizations as the Secretary of HEW, consistent with section 222(a) of the EOA, deems appropriate.
3. In carrying out the powers and authorities delegated to DHEW by OEO, DHEW shall duly observe and comply with the affirmative requirements and the limitations and prohibitions imposed by the EOA which are applicable to the exercise thereof.
4. DHEW shall have the authority to set Head Start performance criteria and to initiate and promulgate policies, regulations, guidelines, instructions, and issuances for the operation of Project Head Start. In carrying out Project Head Start, DHEW may follow or, subject to prior consultation with the Director of OEO, rescind, amend, modify, or otherwise change, in whole or in part, any applicable OEO instruction, regulation, issuance, or guideline as it deems necessary or appropriate.
5. Nothing in this Memorandum of Understanding shall be deemed to limit the Delegation of Authority referred to in the first paragraph hereof.
6. This Memorandum of Understanding shall become effective at the same time as the Delegation of Authority referred to in the first paragraph hereof.

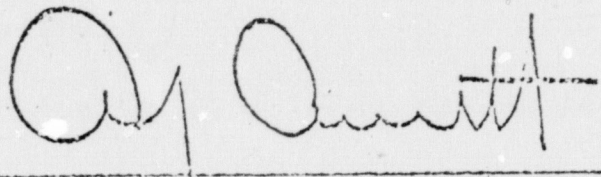
7. This Memorandum of Understanding supersedes the Memorandum of Understanding entered into by OEO and DHEW, dated June 28, 1969, relating to Project Head Start.

s/Caspar W. Weinberger

Secretary
Department of Health, Education
and Welfare

July 11, 1973

Dated



Director-Designate
Office of Economic Opportunity

7/6/73

Dated

OEO INSTRUCTION 6441 ON DELEGATE AGENCY APPEALS

**OFFICE OF ECONOMIC
OPPORTUNITY**
ECONOMIC OFFICE OF THE PRESIDENT
WASHINGTON, D. C. 20543

Type of Issuance

Number

A 106

OEO Instruction

6441-1

Subject

Appeal to OEO by an Organization
That Would Like to Serve as a
Delegate Agency

Date

March 14, 1972

Office of Primary Responsibility

Operations

Supersedes OEO Instruction 6501-01
(CAP Memo 9-A, Part B)

Distribution 10, 15, 25,
35-4, 45-1, ER, GR

REFERENCES: 1. Section 604(1) of the Economic Opportunity Act of 1964, as amended, provides in part:

"The Director shall prescribe procedures to assure that--

(1) special notice of and an opportunity for a timely and expeditious appeal to the Director is provided for an agency or organization which would like to serve as a delegate agency under....Title II and whose application to the prime sponsor or community action agency has been wholly or substantially rejected or has not been acted upon within a period of time deemed reasonable by the Director."

2. Section 221(b).
3. Section 222(a).
4. Section 634.

APPLICABILITY: All programs which are financially assisted under Title II of the Economic Opportunity Act, if the assistance is administered by OEO.

1. POLICY

This Instruction implements section 604(1) and the other provisions referred to above by providing procedures to ensure a timely and expeditious appeal for organizations which submit initial or renewal applications to a community action agency (CAA) to serve as delegate agencies and by establishing standards for resolving appeals in a manner which preserves for a CAA primary responsibility for the planning, administration and evaluation of community action programs in the community which it serves.

2. REQUIREMENT THAT CAA NOTIFY PROSPECTIVE DELEGATE AGENCY

When an organization informs the CAA that it desires to apply for, or renew delegate agency status, the CAA shall promptly inform such organization of the approximate date by which an application must be submitted in order to be considered for the next funding period. Such applications should be submitted no later than 180 days before the end of the CAA's funding period

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OEO Instruction 6441-1

March 14, 1972

in order to be considered during the CAA's planning cycle for the coming funding period. In addition, the CAA shall promptly inform each agency which submits an application to become or to continue to be a delegate agency of the provisions of this Instruction and the date it expects to receive funding guidance. Applications which are submitted after the planning cycle begins will normally not be considered. (Further instructions and procedures are set forth in OEO Instruction 6710-1).

3. APPEAL PROCEDURE FOR REJECTED APPLICANT

If a CAA either rejects, wholly or substantially, such an application or fails to act upon the application by the time it receives funding guidance from OEO, the agency submitting the application may appeal the rejection or failure to act to the OEO official responsible for approving the grant awarding financial assistance to the CAA. Ordinarily, this official will be the OEO Regional Director for the appropriate Region. If the CAA rejects the application in response to an exercise by OEO of authority under the grant, the agency may also appeal the decision through these procedures.

The agency making such an appeal shall submit to the responsible OEO official a copy of all material it submitted to the CAA in its application as well as a statement setting forth the application would:

- a. involve activities which can be closely coordinated with community action programs;
- b. involve significant new combinations of resources or new or innovative approaches to the problems of the poor; or
- c. be structured in a manner which will, within the limits of the activities contemplated, most fully and effectively promote the purposes of the Act.

In addition, if it is seeking to replace an existing delegate agency or to operate a program currently operated by the CAA, the rejected applicant should explain why it believes it could operate the program more effectively than the CAA or existing delegate agency. If it is seeking to operate a new program not currently operated either by the CAA or an existing delegate agency, the applicant should explain why its proposed program would be superior to those currently operated by or through the CAA. The statement submitted by the rejected applicant shall also contain (1) a description of its efforts to combine the proposed activities with those of the CAA and (2) the CAA's response to such efforts. The rejected applicant shall send a copy of the statement to the CAA at the same time the statement is submitted to the responsible OEO official.

March 14, 1972

The CAA may, within 10 days of receiving a copy of the appeal, submit to the responsible OEO official material in reply to the appeal. The CAA shall also send a copy of such material to the applicant making the appeal.

4. CRITERIA FOR RESOLVING APPEAL

The responsible OEO official shall, whenever possible, decide the appeal before the CAA submits its formal funding request. To maintain the principle of local initiative in community action programs, the responsible OEO official will sustain the action of the CAA unless he finds that:

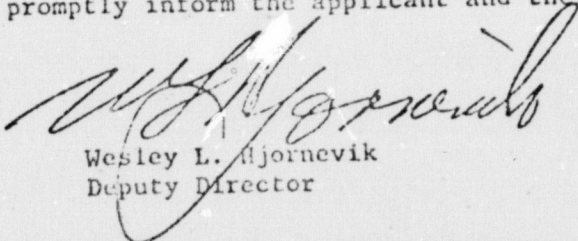
- a. the CAA did not give fair and adequate consideration to the rejected applicant's application, or
- b. the decision of the CAA will have a decidedly adverse effect on the quality of the overall community action program in the local community or would preclude achievement of the objectives of a Special Emphasis program as described in Section 222(a) of the Act.

If the responsible OEO official concludes that the CAA did not provide fair and adequate consideration of the application, he shall return it to the CAA with the requirement that it reconsider the application and inform the responsible OEO official in writing of the steps taken to reconsider the application and of the decision reached.

If the applicant has received a fair and adequate consideration, the responsible OEO official may nonetheless review the case to ascertain whether criterion (b) has been met. In reviewing the case, the OEO official shall bear in mind the amount of funds available to both the CAA and/or the prospective applicant. Options open to the reviewing official include, but are not limited to:

- a. sustaining the rejection of the applicant;
- b. direct funding of the rejected applicant in those instances where OEO is so authorized by the Act (ordinarily limited to Special Emphasis programs described in Section 222(a) of the Act);
- c. requiring that the CAA reconsider the rejected application; and
- d. taking such other steps as may be deemed appropriate under the circumstances including not providing funds to the CAA to administer the program which the rejected applicant wanted to carry out.

The responsible OEO official shall promptly inform the applicant and the CAA in writing of his decision.


Wesley L. Hjernevik
Deputy Director

9712

A 109

MEMORANDUM OF DECISION AND ORDER, MISHLER J.,

JULY 25, 1974

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ECONOMIC OPPORTUNITY COMMISSION
OF NASSAU COUNTY, INC.,

74 C 346

Plaintiff-Petitioner,

-against-

Memorandum of Decision
and Order

CASPAR WEINBERGER, Secretary of
Health, Education and Welfare,
BERNICE BERNSTEIN, SAUL ROSOFF,
JOSUE DIAZ and LESTER MILLER,

July 25, 1974

Defendant-Respondents.

Plaintiff seeks a temporary restraining order, preliminary and permanent injunctive relief, and declaratory relief enjoining the Secretary of Health, Education and Welfare from reducing the plaintiff's federal Headstart grant and from directly funding a Headstart program at the Glen Cove Child Day Care Center, and requiring the Secretary to restore Headstart funds to the plaintiff. A hearing was held on May 3, 1974, at which time various documents and affidavits were submitted to the court. Subsequently, the parties submitted additional affidavits and documentary evidence. On June 28, 1974, defendants moved and plaintiffs cross-moved for summary judgment. For the reasons stated below, the court finds that there is no genuine issue of fact and grants the

defendants' motion for summary judgment.

Plaintiff (NCEOC) is a Community Action Agency as defined by 42 U.S.C. § 2790^{/1} and was designated by the Nassau County Board of Supervisors as the grantee agency for Nassau County^{/2} charged with implementing the provisions of the Equal Opportunity Act of 1965. Pursuant to 42 U.S.C. § 2795, the plaintiff established eleven delegate agencies in eleven target poverty areas. In the Glen Cove Poverty area, NCEOC contracted with the Glen Cove Equal Opportunity Council (GCEOC) to be its delegate agency. Under the terms of the contract GCEOC was responsible for supervising the day-to-day operations of the programs funded by the NCEOC.

^{/1}42 U.S.C. § 2790 provides in part that:

(a) A community action agency shall be a State or political subdivision of a State (having elected or duly appointed government officials), or a combination of such political subdivisions, or a public or private nonprofit agency or organization which has been designated by a State or such a political subdivision or combination of such subdivisions, which--

(1) has the power and authority and will perform the functions set forth in section 2795 of this title, including the power to enter into contracts with public and private nonprofit agencies and organizations to assist in fulfilling the purposes of this subchapter, and

(2) is determined to be capable of planning, conducting, administering and evaluating a community action program and is currently designated as a community action agency by the Director.

In 1965, the Glen Cove Child Day Care Center (GCD) established a day care program in Glen Cove and during fiscal years 1965-66 and 1966-67 received funds from NCEOC through GCEOC. Project Headstart went into effect in 1967.^{/3} From 1967 until March 1972, GCD operated the Headstart program in

/2 On June 23, 1969, the Nassau County Board of Supervisors adopted a resolution designating NCEOC as the Community Action Agency. Prior to 1969, NCEOC was the "operating arm" of the Nassau County Health & Welfare Council.

/3 42 U.S.C. §2809 provides that the Director of OEO "may develop and carry on special programs," including

(1) A program to be known as "Project Headstart" focused upon children who have not reached the age of compulsory school attendance which (A) will provide such comprehensive health, nutritional, educational, social, and other services as the Director finds will aid the children to attain their full potential, and (B) will provide for direct participation of the parents of such children in the development, conduct, and overall program direction at the local level.

In 1969, the Director of OEO delegated his authority over the Headstart program to the Secretary of HEW. The Secretary of HEW then established the Office of Child Development to administer the Headstart program.

Glen Cove and continued to receive funds from NCEOC through GCEOC. During this period, GCD attempted to enter into a sub-delegate contract with GCEOC and thereby to assume direct control over the Headstart program. Although GCEOC was willing to sub-delegate its powers to GCD, John Kearse, the executive director of NCEOC, refused to approve the contract on the grounds that the Equal Opportunity Act did not provide for subdelegation and that HEW expressly disapproved of such a practice.

In March 1972, GCEOC went into receivership and NCEOC assumed direct control and supervision over the operation of various programs, including the Headstart program. On April 13, 1972, NCEOC forwarded to HEW its application for refunding of the Glen Cove Headstart program for the 1972-73 fiscal year, representing that GCD would be the delegate agency. GCD never made a formal application to NCEOC for delegate agency status, although the Policy Committee of GCD did informally request that NCEOC enter into a delegate agency contract. Subsequently, Kearse wrote to the Acting Chairman of the GCD Parents Group warning her that NCEOC would not refund GCD for the 1972-73 fiscal year unless the structure of the GCD Headstart Policy Committee was modified

to conform to HEW guidelines requiring greater parental participation. On August 3, 1972, the Policy Committee of GCD was informed by NCEOC that no further Headstart funds would be allocated to GCD.

Lester Miller, Chairman of GCD, in an undated letter to Caroline Gianta of HEW's Office of Child Development (OCD) requested an appeal pursuant to 42 U.S.C. §2944 from NCEOC's failure to contract with GCD as its delegate agency for the Glen Cove area. Josue E. Diaz, Regional Program Director for Child Development, responded to Miller's letter, informing him that "your request for an appeal regarding your agency's delegate agency application should be governed by the procedure applicable when a grantee does not act upon the application of a current or prospective delegate agency within a reasonable period of time" and requesting that GCD submit certain specified materials to OCD. ^{/4} Diaz also wrote to NCEOC,

/4 Diaz requested the following materials from GCD:

1. Copies of materials your Board submitted to E.O.C. of Nassau, Inc. in, and in connection with, your application (a copy of your budget application for funding as a delegate agency.)
2. A description of or copies of communications, written or oral, between your Board and E.O.C. of Nassau, Inc. Board concerning your application.
3. If it is your Board's position that the Grantee's failure to act on the application was arbitrary or unfair, please state the reason why your Board

directing the Commission to hold the Headstart funds allocated for fiscal year 1972-73 in escrow pending the appeal and requesting that NCEOC likewise submit certain documents.^{/5} On August 30, 1973, Diaz informed NCEOC that he found the Commission's failure to refund GCD improper, based upon the following reasons:

1. That the EOC of Nassau County, Inc. submitted an application for Program Year "G" (August 1, 1972 to July 31, 1973), which indicated that the OS 187 (Delegate Agency Summary Information) that the Glen Cove Child Day Care Center, Inc. would be the Delegate Agency operating the Head Start program in Glen Cove. The OCD never gave its approval for any change in the sponsorship or the operation of the Glen Cove program. The denial of refunding of the Glen Cove Agency is a violation of the work program approved for the EOC of Nassau County.

/4 Cont.

takes this position.

4. Any other facts and circumstances which your Board believes relevant to your Appeal.

/5 NCEOC was advised to submit the following documents to Diaz:

1. A description of, or copies of, any communications, written or oral, between the Glen Cove Child Day Care Center, Inc. Board and your Agency regarding their request for delegate Agency status.
2. The reasons why your Agency failed to act upon their application.
3. Any other facts and circumstances which your Agency believes to be relevant to the case.

2. That the EOC of Nassau County did not provide the Glen Cove Child Day Care Center, Inc. a reasonable opportunity to correct the defects and deficiencies alleged nor did the grantee submit evidence that it provided appropriate technical assistance with respect to the correction of the alleged defects and deficiencies.

Diaz further stated that OCD expected NCEOC to fund GCD for the 1973-74 fiscal year and placed a special condition on NCEOC's grant to that effect.^{/6}

Following Diaz's decision, NCEOC protested to the Regional Director of OCD that Diaz's determination had been motivated by improper considerations and was procedurally defective. As a result of NCEOC's protest, OCD afforded the Commission the opportunity to obtain a final decision from

^{/6} The following special condition was placed on NCEOC's grant for fiscal year 1973-74:

The delegate agency, which will operate the Head Start program in Glen Cove, New York, shall be the Glen Cove Child Day Care Center, Inc. This agency formerly operated the program as a sub-delegate of the Glen Cove Community Action Program. As stated in the Office of Child Development's letter to the grantee, dated August 30, 1973, the agency was improperly denied refunding.

The grantee shall enter into contract with the Glen Cove Child Day Care Center, Inc., to be the delegate agency for Head Start in Glen Cove, New York and such contract shall be submitted to the Regional Office of Child Development for approval prior to its execution.

If a contract is not signed by the aforementioned parties by October 1, 1973, funds allocated for the operation of the Head Start program in Glen Cove, New York

Saul Rosoff, Acting Director of OCD. NCEOC requested a review by Rosoff, and, on October 11, 1973, Rosoff informed the parties of the procedures which would be utilized:

As Acting Director, I will review the case and render a final decision to either sustain or not sustain the decision of your agency to deny refunding to GCCDCC. The basis for the decision will be a determination of the reasonableness and fairness with which EOC acted in denying refunding to GCCDCC. Unless it is found that EOC acted arbitrarily and unfairly, the decision to deny refunding will be sustained. In the event that the decision of EOC to deny refunding is not sustained, it will be possible, among other alternatives, for GCCDCC to submit an application to the New York Regional Office for consideration of direct funding as a Head Start grantee. Approval of such an application could result in an appropriate reduction of funds to EOC.

The record in this case which I will be reviewing will consist of the following: (1) the written material submitted by EOC and GCCDCC which was forwarded by the New York Regional Office to each party as an enclosure to Mr. Diaz' letter of September 20; (2) any rebuttal to the written material of the other agency described in "1" which EOC or GCCDCC wishes to provide to me, but not later than October 25, 1973; (3) any additional information furnished in response to a specific request by the Acting Director, OCD.

Should additional information be requested, there will be an exchange of the information with all parties with an additional period for rebuttal to the new material.

/6 Cont.

shall revert to the Office of Child Development for its disposition.

Not later than 30 days following receipt of the entire record, a final decision will be made. In order to assist in the preparation of the response described in item "2" above, EOC and GCCDCC may have the assistance of legal counsel. A party which does not have an attorney acting in that capacity as a regular member of its staff or on a retainer arrangement, may, by action of its Board of Directors, so designate an attorney. Fees for such an attorney shall be reasonable and customary fees for the locality, but may not exceed \$100.00 per day.

Neither NCEOC nor GCD submitted any additional materials.

Rosoff rendered his decision on November 12, 1973 sustaining Diaz's interim findings:

Please be advised that I concur with the views of the Regional Office and sustain its decision transmitted to you by letter dated August 30, 1973 from Mr. Josue E. Diaz, Regional Program Director for Child Development. It is my finding that the written record as submitted by your agency does not establish defects and deficiencies in the administration and operation of the GCCDCC as your agency appears to allege. It would follow that the denial of refunding of the GCCDCC by your agency would appear to be arbitrary.

In the event that you do not wish to continue as grantee with respect to the GCCDCC, I will suggest that the Regional Office obtain an application for direct funding from the GCCDCC and that the funding of your agency be adjusted accordingly.

On March 11, 1974, Elaine P. Danavall, Acting Regional Program Director of OCD informed NCEOC that the \$68,750 held in escrow pending the appeal together with the \$76,750 allocated for the 1973-74 fiscal year would revert to OCD and that NCEOC's federal funding for the current

operating year would be correspondingly reduced.

Plaintiff then commenced this action against various officers of HEW, OCD, and GCD alleging (1) that HEW's failure to prescribe procedures for appeal under 42 U.S.C. §2944 rendered Rosoff's decision null and void; (2) that even if Rosoff had the power to overrule NCEOC's action, his decision was arbitrary, capricious, inconsistent with the applicable statutes, and unsupported by the evidence; and (3) that under Transmittal Notice 70.2, the Policy Council of NCEOC has the sole power to designate delegate agencies.

On April 19, 1974, plaintiff moved by an order to show cause for a temporary restraining order, a preliminary and a permanent injunction enjoining HEW from directly funding OCD and from reducing NCEOC's grant, directing HEW to restore Headstart funds to NCEOC, and enjoining GCD from spending federal funds furnished to it by HEW. Defendants subsequently moved for summary judgment on the grounds that (1) this court has no jurisdiction over the plaintiff's action; (2) the plaintiff has no standing; and (3) the plaintiff fails to state a claim upon which relief can be granted. The court finds that the pleadings, together with the affidavits and documentary evidence "show that there is no genuine issue

as to any material fact and that the moving party is entitled to a judgment as a matter of law." F.R. Civ. P. 56(c).

I. JURISDICTION

The defendants argue at the outset that the basic thrust of the plaintiff's complaint is a claim against the United States in excess of \$10,000 which comes within the exclusive jurisdiction of the Court of Claims. Section 1491 of Title 28 provides in relevant part that

The Court of Claims shall have jurisdiction to render judgment upon any claim against the United States founded either upon the Constitution, or any Act of Congress, or any regulation of an executive department

Defendants rely on Massachusetts v. Conner, 248 F. Supp. 656 (D.Mass. 1966). There, the state of Massachusetts sued the Secretary of Commerce, the Federal Highway Administrator, and the Division Engineer of the Bureau of Public Roads to recover the amount of the federal contribution owed to the state under the Highways Act. In granting the defendants' motion to dismiss for lack of jurisdiction, the court reasoned that:

[T]he basic claim of Massachusetts is for money due, or ultimately to become due, from the United States under a contract

* * *

. . . What Massachusetts is really seeking is payment from the United States. It purports to seek relief from the named defendants only as a device for obtaining a decision that the United States owes or will owe it the full amount it claims. Any judgment in this case will ultimately expend itself on the public treasury.

248 F.Supp. at 660.

The "basic claim" in the instant case is not "for money due or ultimately to become due from the United States," but rather for control over the administration of funds already earmarked for a specific program. In Eastport Steamship Corp. v. United States, 372 F.2d 1003 (Ct. Claims 1967), the Court of Claims defined the boundaries of its jurisdiction under § 1491 as follows:

The claim must, of course, be for money. Within that sphere, the non-contractual claims we consider under Section 1491 divide into two somewhat overlapping classes--those in which the plaintiff has paid money over to the Government, directly or in effect, and seeks return of all or part of that sum; and those demands in which money has not been paid but the plaintiff asserts that he is nevertheless entitled to a payment from the treasury In the second group . . . the allegation must be that the particular provision of law relied upon grants the claimant, expressly or by implication, a right to be paid a certain sum.

* * *

The second category includes the varied litigations in which we are urged to hold that some specific provision of law embodies a command to the United States to pay the plaintiff some money, upon proof of conditions which he is said to meet. Familiar examples are inverse eminent domain by a taking without formal proceedings . . . ; a suit by a separated reserve officer for disability retired pay . . . ; an action for back pay occasioned by a wrongful dismissal from the Civil service . . . ; or a claim for compensation for flood damage authorized by statute In this type of case, we have held, "a claimant who says that he is entitled to money from the United States because a statute or a regulation . . . grants him that right . . . can properly come to the Court of Claims, at least if his claim is not frivolous but arguable."

372 F.2d at 1007-08 (citations omitted). NCEOC does not claim that the Equal Opportunity Act "embodies a command to the United States to pay the plaintiff some money;" rather, the plaintiff asserts that the Act entitles it to administer the use of federal funds which Congress has previously allocated or will allocate for the Headstart program. This claim is clearly within the scope of the district court's jurisdiction under 28 U.S.C. § 1331 and 5 U.S.C. § 702 and is, therefore, properly before this court.

II. STANDING

The defendants further contend that NCEOC lacks standing to challenge the procedures followed by Rosoff on the merits of his decision. Although conceding that the plaintiff has standing to contest OCD's subsequent announced intention to reduce plaintiff's grant and directly fund GCD, defendants argue that NCEOC suffered no cognizable injury from Rosoff's decision since "[plaintiff] is only being required to allocate its funding with respect to GCD as directed by OCD."

Section 10(a) of the Administrative Procedure Act, (APA), 5 U.S.C. § 702, provides that

A person suffering legal wrong because of agency action, or adversely affected or aggrieved by agency action within the meaning of a relevant statute, is entitled to judicial review thereof.

In Sierra Club v. Morton, 405 U.S. 727, 733, 92 S.Ct. 1361, 1365 (1972), the Supreme Court traced the development of standing under the APA:

Early decisions under this statute interpreted the language as adopting the various formulations of "legal interest" and "legal wrong" then prevailing as constitutional requirements of standing. But, in Association of Data Processing Service Organizations, Inc. v. Camp, 397 U.S. 150, 90 S.Ct. 827, 25 L. Ed. 184 and Barlow v. Collins, 397 U.S. 159,

90 S.Ct. 852, 25 L.Ed. 192, decided the same day, we held more broadly that persons had standing to obtain judicial review of federal agency action under §10 of the APA where they had alleged that the challenged action had caused them "injury in fact" and where the alleged injury was to an interest "arguably within the zone of interests to be protected or regulated" by the statutes that the agencies were claimed to have violated.

The court finds that NCEOC satisfies this test of standing. The defendants argue that NCEOC has suffered no "injury in fact" from Rosoff's decision because "[i]ts funding would not be reduced one cent." The injury which gives rise to standing under §702, however, need not be economic. See Sierra Club v. Morton, 405 U.S. at 734, 92 S.Ct. at 1366. NCEOC's prime function is to coordinate, plan, and administer Nassau County's community action program. Rosoff's decision impaired that planning and administrative function, thereby causing "injury in fact" to the plaintiff. Furthermore, the alleged injury was to an interest "arguably within the zone of interests to be protected or regulated" by the Economic Opportunity Act. Section 212 of the Act, 42 U.S.C. §2795, provides that

A community action agency must also be empowered to transfer funds so received, and to delegate powers to other agencies, subject to the powers of its governing board and its overall program responsibilities. This power to transfer funds and delegate powers must include the power to

make transfers and delegations covering component projects in all cases where this will contribute to efficiency and effectiveness or otherwise further program objectives.

NCEOC clearly has an interest recognized and protected by the Economic Opportunity Act in selecting and supervising delegate agencies. Accordingly, the court finds that NCEOC has standing to challenge both Rosoff's decision requiring it to fund GCD and OCD's subsequent determination to reduce NCEOC's grant and to fund GCD directly.

III. JUDICIAL REVIEW

Section 10(e) of the Administrative Procedure Act, 5 U.S.C. §706, sets forth the standards governing judicial review of an agency determination:

To the extent necessary to decision and when presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of an agency action. The reviewing court shall --

.. .
(2) hold unlawful and set aside agency action, findings, and conclusions found to be --

(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

.. .
(C) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right,

(D) without observance, of procedure required by law;

.. .
In making the foregoing determinations, the court shall review the whole record or those parts of it

cited by a party, and due account shall be taken of the rule of prejudicial error.

Plaintiff claims that Rosoff and OCD acted in excess of their statutory jurisdiction, failed to observe proper procedures, and acted arbitrarily and capriciously.

A. Plaintiff's allegation that Rosoff and OCD acted "in excess of statutory jurisdiction [or] authority" is based on two contentions: (1) that Rosoff lacked authority to hear GCD's appeal in the absence of regulations promulgated pursuant to §604 of the Equal Opportunity Act, 42 U.S.C. §2944; and (2) that OCD lacked authority to fund GCD directly. The court finds both contentions to be without merit.

Section 604 of the Equal Opportunity Act, 42 U.S.C. §2944, provides in part as follows:

The Director shall prescribe procedures to assure that --
 (1) special notice of and an opportunity for a timely and expeditious appeal to the director is provided for an agency or organization which would like to serve as a delegate agency . . . and whose application to the . . . community action agency has been wholly or substantially rejected or has not been acted upon within a period of time deemed reasonable by the Director; . . .

Plaintiff argues that the failure of OCD to promulgate regulations governing appeal procedures deprives the director of the power to hear appeals and therefore renders Rosoff's decision null and void. The court disagrees. Section 604

on its face simply provides for the establishment of certain procedures. The power of the director to hear appeals is implicit in the statute and is not affected by the presence or absence of formally promulgated regulations.

Plaintiff, relying on Transmittal Notice 70.2,^{/7} further contends that NCEOC's policy council has sole power to determine delegate agencies and that OCD, by deciding to fund the Glen Cove Headstart program directly, has exceeded its statutory authority and wrongfully usurped the plaintiff's power. This argument, however, is contrary to the plain language of the Equal Opportunity Act. Section 222 of the Act, 42 U.S.C. §2809(a),^{/8} while encouraging the director to

^{/7} Transmittal Notice 70.2 contains material to be added to the Headstart Policy Manual. Charts B and C compare the functions of the delegate agency with those of the grantee agency. Not surprisingly, those charts assign to the grantee agency the function of selecting delegate agencies. The Transmittal Notice, however, is not concerned with the powers of the grantee agency as compared with the powers of OCD.

^{/8} 42 U.S.C. §2809(a) provides as follows:

(a) In order to stimulate actions to meet or deal with particularly critical needs or problems of the poor which are common to a number of communities, the Director may develop and carry on special programs under this section. This authority shall be used only where the Director determines that the objectives sought could not be effectively achieved through the use of authorities under section 2808 of this title, including assistance to com-

fund Headstart programs through the local community action program "whenever feasible," recognizes the power of the director to provide financial assistance directly to public or private nonprofit agencies. The court, therefore, concludes that OCD was acting within its statutory authority when it decided to fund GCD's Headstart program independently of NCEOC.

B. Even if Rosoff's and OCD's actions were within the scope of their statutory authority, plaintiff argues, the failure to observe proper procedures rendered those actions null and void.

First, the plaintiff challenges the ad hoc manner in which the procedures governing GCD's appeal were formulated. The court finds the procedures observed by Rosoff in processing and deciding GCD's appeal to be completely adequate.¹⁹ The fact that those procedures were not

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ponents or projects based on models developed and promulgated by him. It shall also be used only with respect to programs which (A) involve activities which can be incorporated into or be closely coordinated with community action programs, (B) involve significant new combinations of resources or new and innovative approaches, or (C) are structured in a way that will, within the limits of the type of assistance or activities contemplated, most fully and effectively promote the purposes of this subchapter. Subject to such conditions as may be appropriate to assure effective and efficient administration, the Director may provide financial assistance to public or private nonprofit agencies to carry on local projects initiated under such special programs; but he shall do so in a manner that will encourage wherever feasible, the inclusion of the assisted projects in community action pro-

formally promulgated by the agency does not in any way diminish their effectiveness or validity absent a showing of prejudice to the plaintiff. In Sun Oil v. Federal Power Commission, 256 F.2d 233 (5th Cir. 1968), the court recognized that

The ad hoc process of development of administrative procedures is not an improper one In a particular case an administrative agency may relax or modify its procedural rules and its action in so doing will not be subjected to judicial interference in the absence of a showing of injury of substantial prejudice.^{/10}

256 F.2d at 239. NCEOC has made no claim of-prejudice resulting from Rosoff's use of "ad hoc" procedures. Both parties

/8 Cont.

grams, with a view to minimizing possible duplication and promoting efficiencies in the use of common facilities and services, better assisting persons or families having a variety of needs, and otherwise securing from the funds committed the greatest possible impact in promoting family and individual self-sufficiency. Programs under this section shall include those described in the following paragraphs:

/9 The court simply notes in passing that the procedures used in this case are very similar to those contained in proposed HEW regulations recently published in the Federal Register, §§1303.2-8 - 1303.2-10, 39 Fed. Reg. 20074-75 (1974).

/10 In Sun Oil, the FPC had already promulgated regulations and attempted by "ad hoc" process to amend those regulations. Although Sun Oil is distinguishable on its facts from the instant case, the court nevertheless feels that the principles enunciated by the court in Sun Oil are equally applicable here. See also 5 U.S.C. §706 ("due account shall be taken of the rule of prejudicial error"); Kerner v. Celebrezze, 340 F.2d 736 (2d Cir. 1965).

received a detailed description of the evidence which would be considered by Rosoff and the standard of review he would use. The parties were given ample opportunity to submit additional materials and to object to the proposed procedures.

Second, plaintiff challenges OCD's failure to observe procedures set forth in §604(2) of the Equal Opportunity Act, 42 U.S.C. §2944(2). Section 604(2) provides in relevant part that:

[F]inancial assistance . . . shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations, nor shall an application for refunding under [section] . . . 2809 . . . of this title be denied, unless the recipient agency has been given reasonable notice and opportunity to show cause why such action should not be taken

Plaintiff apparently contends that OCD's decision to deobligate Headstart funds previously allocated to the plaintiff constitutes a "denial of an application for refunding" within the meaning of §604(2) and hence that NCEOC was entitled to an informal meeting with OCD as provided for in OEO regulations issued pursuant to this section.^{/11}

^{/11} See 45 C.F.R. §1067.2-1 et. seq. (1973).

The court does not find §604(2) or the accompanying
OEO regulations applicable in the instant case.^{/12} The apparent
purpose of §604(2) is to insure a grantee agency that OCD or
OEO will not arbitrarily terminate its funding without notice
and an opportunity to be heard.^{/13} NCEOC, however, had ample
notice from both Diaz and Rosoff of the possibility that its
grant might be reduced, and had ample opportunity to demon-
strate to OCD why its Headstart funds should not be deobli-
gated. Requiring OCD to follow the procedures outlined in
§604(2) would be redundant and would afford the plaintiff no

^{/12} It should be noted that under the Memorandum of Under-
standing between OEO and HEW, effective July 6, 1973,
HEW is not necessarily bound by OEO regulations. Para-
graph 4 of the Memorandum provides that:

DHEW shall have the authority to set Head Start per-
formance criteria and to initiate and promulgate
policies, regulations, guidelines, instructions,
and issuances for the operation of Project Head
Start. In carrying out Project Head Start, DHEW
may follow or, subject to prior consultation with
the Director of OEO, rescind, amend, modify, or
otherwise change, in whole or in part, any appli-
cable OEO instruction, regulation, issuance, or
guideline as it deems necessary or appropriate.

^{/13} See Mil-Ka-Ko Research & Development Corp. v. OEO,
352 F. Supp. 169 (D.D.C. 1972).

greater protection than it already received.^{/14}

Third, plaintiff challenges OCD's failure to comply with OEO Instruction 6441-1, "Appeal to OEO by an Organization That Would Like to Serve as a Delegate Agency."^{/15}

Paragraph 4 of the Instruction provides in part that:

The responsible OEO official shall, whenever possible, decide the appeal before the CAA submits its formal funding request. To maintain the principle of local initiative in community action programs, the responsible OEO official will sustain the action of the CAA unless he finds that:

- a. the CAA did not give fair and adequate consideration to the rejected applicant's application, or
- b. the decision of the CAA will have a decidedly adverse effect on the quality of the overall community action program in the local community or would preclude achievement of the objectives of a Special Emphasis program as described in Section 222(a) of the Act.

^{/14} Plaintiff also argues that OCD was required by the Memorandum of Understanding between HEW and OCD to consult with NCEOC prior to initiating the direct funding of GCD. As the defendants point out, however, this Memorandum of Understanding was superseded by a subsequent Memorandum effective July 6, 1973. The 1973 Memorandum does not require OCD to consult with any other agency prior to approving an application for direct funding. See Affidavit of Angel F. Rivera, Regional Director of OEO, July 10, 1974.

^{/15} The court notes that this argument appears to be inconsistent with plaintiff's earlier contention that the lack of formalized procedures invalidated Rosoff's decision. See pp. 17 and 19, supra.

If the responsible OEO official concludes that the CAA did not provide fair and adequate consideration of the application, he shall return it to the CAA with the requirement that it reconsider the application and inform the responsible OEO official in writing of the steps taken to reconsider the application and of the decision reached.

Although the court agrees that OCD's action did not conform to OEO's Instruction, the court finds that OCD was not bound by that Instruction. In the Memorandum of Understanding Relating to Delegation of Project Head Start dated July 16, 1973, OEO and HEW agreed that:

In carrying out Project Head Start, DHEW may follow or, subject to prior consultation with the Director of OEO, rescind, amend, modify, or otherwise change, in whole or in part, any applicable OEO instruction, regulation, issuance, or guideline as it deems necessary or appropriate.

(emphasis added).

This language is clearly permissive, not mandatory. The court therefore concludes that HEW did not err in failing to observe the procedures contained in OEO Instruction 6441-1.

C. Finally, plaintiff contends that Rosoff's decision was "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706 (2)(A). In support of this contention, plaintiff simply

argues that "defendant GCCDCC failed to have efficient parental involvement in their Board structure in accordance with Transmittal Notice . . . and other OEO and HEW/OCD rules and regulations."

The Supreme Court in Citizens to Preserve Overton Park, Inc., v. Volpe, 401 U.S. 402, 91 S.Ct. 814, 823-24 (1971), defined the standard of review to be applied by the court under § 706(2)(A):

Section 706(2)(A) requires a finding that the actual choice made was not "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." To make this finding the court must consider whether the decision was based on a consideration of the relevant factors and whether there has been a clear error of judgment Although this inquiry into the facts is to be searching and careful, the ultimate standard of review is a narrow one. The court is not empowered to substitute its judgment for that of the agency.

The court has reviewed the record as supplied by the defendant and finds that Rosoff's decision was based upon a consideration of all the evidence submitted and did not constitute "a clear error of judgment."

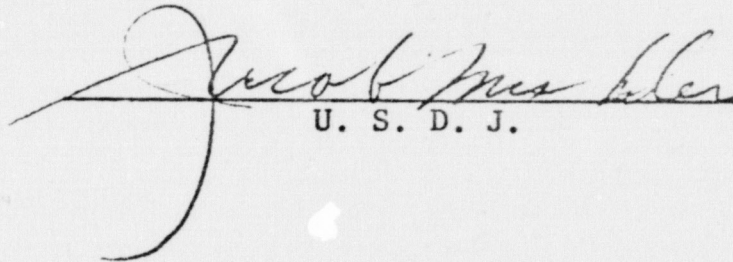
The plaintiff offered no evidence to Diaz or to Rosoff substantiating its claim that the GCD Policy Committee was improperly constituted. Documents submitted by GCD, in contrast, indicate at least a good faith effort to comply

with HEW guidelines on parental participation.^{/16} The court concludes that the record fully supports Rosoff's findings.

Defendants' motion for summary judgment is granted. The complaint is dismissed and it is

SO ORDERED.

The Clerk of the Court is directed to enter judgment in favor of defendants and against plaintiff dismissing the complaint.


U. S. D. J.

^{/16} See, e.g., pp. 50-51, 61, 72 of the Record submitted by the defendants.

A 136

FUNDING LETTERS

(Recent Developments)



A 137

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION II

FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10007

Office of Human Development

OFFICE OF
CHILD DEVELOPMENT

February 8, 1974

Mrs. Myrna Adams, Chairman
Board of Directors
Economic Opportunity Commission
of Nassau County, Inc.
c/o State University
College of Old Westbury - Box 210
Westbury, New York 11568

Dear Mrs. Adams:

In our letter of January 8, 1974 we asked that you inform us, no later than January 21, 1974 of your choice of the two available options outlined in Mr. Saul Rosoff's letter (addressed to you) dated January 7, 1974. The two options are:

- a) that the Economic Opportunity Commission of Nassau County, Inc. (EOC) refund the Glen Cove Child Day Care Center, Inc. (GCCDCC) as the delegate agency for Head Start in Glen Cove;

or

- b) that the refunding of GCCDCC be implemented directly by the regional Office of Child Development.

As of today, we have received no indication from you, either verbally or in writing, concerning your choice of the available options. Therefore, we are now formally advising you that the regional Office of Child Development has, as of this date, initiated a process for directly funding GCCDCC to operate a Head Start program in Glen Cove. EOC's regular funding level will be reduced accordingly. ✓

In a subsequent letter you will receive instructions concerning the disposition to be made of the funds earmarked for the Glen Cove Head Start program that we have in several written communications asked you

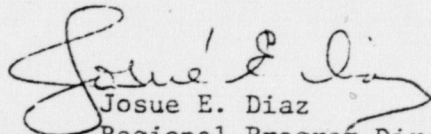
Mrs. Myrna Adams

- 2 -

February 8, 1974

to hold in escrow pending the settlement of the GCCDCC's appeal. In the meantime, we must again ask that such funds continue to be held in escrow.

Sincerely,



Josue E. Diaz
Regional Program Director
Office of Child Development

cc: Mr. Lester Miller
Mr. John Kearse
Mrs. Jean Love
Mr. Saul Rosoff
Mr. Angel Rivera

bcc: Mrs. Bernice L. Bernstein
Mr. Elwood Taub
Mr. David Grossman
✓ Mrs. Elaine Danavall
✓ Miss Caroline Gionta
Mr. Clennie Murphy
Mrs. Margaret Holmes



A 139

Caroline

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION II

FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10007

July 3, 1974

OFFICE OF
CHILD DEVELOPMENT

Mr. John L. Kearse, Executive Director
Economic Opportunity Commission of Nassau County, Inc.
106 Main Street
Hempstead, New York 11550

Re: Head Start - PY "I"
August 1, 1974- July 31, 1975

Dear Mr. Kearse:

The following will confirm the major budget and program decisions for Program Year "I" (August 1, 1974 - July 31, 1975) reached between the Head Start program funded through EOC of Nassau County, Inc. and the Community Representative, Caroline Gionta, during Pre-Review visits and discussions at the EOC Central Office on March 12, April 4, 10, 30 and May 6, 1974.

In addition, you are expected to implement any and all other recommendations further outlined in this letter in order to achieve compliance with DHEW/OCD program objectives and policy regulations for this fiscal and program year.

The agreements and decisions outlined below represent the firm intent of this office. However, you are cautioned that this "Letter of Understanding" is not a legal contract. These agreements are subject to change should OEO/HEW appropriation levels or program and funding policies be materially altered. Should such changes occur, we shall, of course, notify you immediately.

- I. Funding Level: It is understood that your federal funding level of approved program (LAP) for Program Year "I" will be \$1,019,650. While we share your concern re the increased costs of operating expenses for the coming year and the difficulties this may present, the fiscal restraints placed on our office prevent us from accepting an application from you above this LAP. (This new LAP represents a reduction of \$76,750. - see our letter of March 11, 1974 - as processed on OCD Grant Action H-0622 - H/H3, but with an additional LAP increase of \$14,500 as processed on Grant Action H/H5, column 5- "Total Federal Funds").

The Federal share represents 80% of the total costs of your application accountable to OEO/HEW. The remaining amount of \$254,913 in your application will be provided by you as Non-Federal share. These monies are to be itemized on the application (OS 189 budget forms) according to "Cost Categories" and the source must be indicated as to "C" (Cash) and/or "K" (In-Kind).

Letters of Commitment are required and must be submitted as part of your application package for all Non-Federal share, except for non-professional volunteers.

- II. Funding Cycle and Application: The Head Start program will be in its third year funding cycle for PY "I". Initially, in our Funding Guidance letter of February 6, 1974, we waived the submission of OS 188 (Work Program). However, since we have been unable to determine the exact nature and status of a number of your centers and delegate agencies- we have received no responses from you to our letters of April 10 (re Port Washington) and May 31 (re delegate agency contracts) - we shall not be able to process your application for refunding. You are required, therefore, to submit requests for changes in center/delegate agency operations and up-to-date contracts to this office for review and final approval before any work program and/or budgetary changes can be implemented. Further, no center sponsored by EOC of Nassau may be reopened at this time in Glen Cove. Current program needs are such that all existing resources must be applied to maintaining programs presently in operation.

Although your application package was due April 30, 1974, as per our letter of February 6, an extension of approximately two weeks was granted based on the ensuing extended discussions around your LAP. It was understood at that time that refunding could be delayed depending on circumstances beyond our control in the Grants Management and Budget Office. This continued extended delay in submission will, of course, necessitate an unavoidable delay. However, we shall process a grant action for PY "I" (I/HO), authorizing you to begin your new program year using unexpended monies from PY "H" for a minimum of thirty (30) days.

No further such authorization will be issued to you at the end of the allotted time.

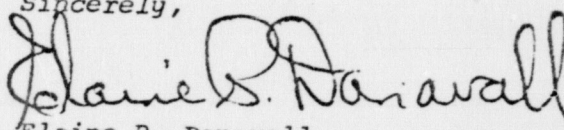
- III. Additional Compliance Priorities: Since no draft application of your final package has been submitted for OCD prior review and approval, any refunding that maybe processed for new monies may be subject to split funding actions until all areas of required compliance are met by your agency. These areas include, in addition to those referred to above:

- a) Compliance with Performance Standards.
- b) Assessment of your current Head Start option models.
- c) Justification and documentation for maintaining full day services.
- d) 10% handicapped enrollment and services for handicapped children.
- e) Implementation of the special grant for EPSDT (Early and Periodic Screening, Diagnosis and Treatment).

- IV. Reports, Fiscal Documents and Special Conditions: Any outstanding fiscal documents, reports and Special Conditions, as outlined in our Funding Guidance letter of February 6, must be submitted to OCD prior to refunding as are all required current fiscal reports.
- V. Other Documents and Records: We shall be reviewing various other documents, not discussed above, pertaining to the legal and eligible status of your program. These were outlined on page 3 of our February 6 letter. As your Community Representative arranges for on-site visits to your central office as well as to center sites in the ensuing weeks, we would expect that these records will be available for her examination. Meetings with appropriate staff, parents and Policy Committee/Council members will be arranged accordingly.
- VI Forms: The complete application consisting of a signed original and four (4) copies of the following forms for each Program Account are due in OCD Regional Office, attention Mr. Nicholas Cordasco, GM & BO, at the earliest possible date:
- OS 186 - Applicant Agency Summary Information.
 OS 187 - Delegate Agency Summary Information.
 *OS 189 - Composite Budget, Section I, II, III
- *Note: only one set each for P.A. 22 and P.A. 23 for administration, Supportive Services, Career Development and individual centers.
- OS 190 - Other Grant Support - ^{A-95} you are required to submit evidence that a copy of your application has been sent to the appropriate Clearing House in New York (Form A 95).

It is understood that the Economic Opportunity Commission of Nassau County, Inc. accepts the contents of this "Letter of Understanding" unless we are officially informed to the contrary, in writing within ten (10) days of receipt of this letter.

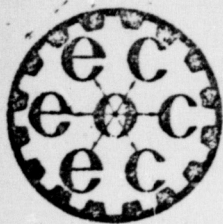
Sincerely,



Elaine P. Danavall
 Acting Regional Program Director
 Office of Child Development

ADAMS

cc: Ms. Myrna Cedeno, Chairperson Board
 Ms. Jean Love, Chairperson, Policy Council
 Ms. Olga Bzdyk, Acting Head Start Director
 Ms. Glenda Collins, Administrative Assistant



ECONOMIC OPPORTUNITY COMMISSION OF NASSAU COUNTY, INC.

106 MAIN STREET, HEMPSTEAD, NEW YORK 11550

JOHN L. KEARSE, EXECUTIVE DIRECTOR

PHONE: (516) 292-9710

MYRNA C. ADAMS, CHAIRMAN

P.H. 22a, C - A 142

P.A. 23-2a - .

30-5 Town
60- Farm
15- Westbury

July 25, 1974

Mr. Nicholas Cordasco
Grants Management &
Budget Officer
Office of Child Dev.
Dept of HEW - Region II
26 Federal Plaza
New York, New York 10007

Hb - Letter 191 - P.H. 23

LAP 1,019,650
+ 2,000
1,021,650

Dear Mr. Cordasco:

Attached herewith are budget applications for Program Year I (74-75) for our Full Year Head Start Program Operation. Please note that there are two (2) sets of budget applications:

Application for \$1,098,400 - 76,750

This budget level, although higher than the indicated LAP for our program in Nassau County, represents the lowest level at which we can submit our budget requests and be able to continue to maintain the integrity and quality of our program offering in Nassau County. It continues to reflect monies earmarked for the operation of a Head Start Program in (the City of Glen Cove) through our local target CAP agency. Inasmuch as no legal opinion has been rendered regarding our law suit, we feel that we are still obligated to budget for that program. If this is not to be the case, then we would prefer that that adjustment be made by OCD to our grant application at your end. ✓

We have also included in this budget a \$1,000 rent increase for the Head Start centers in the communities of Roosevelt and Hempstead. Without the additions to those budgets, which we are assured can be picked up through non-federal cash in those local communities, we are faced with the prospect of having to locate other program facility sites. As you know, from past experience, renovations to meet licensing requirements on any new facility will automatically far exceed the amount of monies necessary to meet the increased rent costs.

Mr. Nicholas Cordasco
July 25, 1974
Page -2-

A 143

We have taken the time to interpret why our grant application exceeds the assigned LAP so that if OCD determines that modifications are still required, that those adjustments can be made on your end so that there will be no interference with the normal grant application procedures which will result in a delay in our receipt of funds.

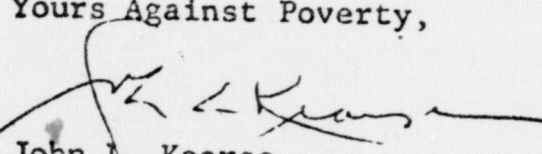
Application for \$1,197,389

This budget application is submitted reflecting the minimum realistic level that we are in need of for the operation of our Head Start Program in Nassau County at this time. The fact that our funding level has not been increased over the last four (4) years has resulted in our having very serious problems with continued staff turnover due to inadequate salaries and salary levels.

In addition to that, our meagre allowances in the non-personnel category also presents very serious problems to us in terms of maintenance of quality of program operations.

We are, therefore, making the plea that our increased needs budget be honored, if it is at all possible during the coming Program Year.

Yours Against Poverty,


John L. Kearse
Executive Director

JLK/met
encls.

cc: Ms. Bernice Bernstein
Mr. Elwood Taub
Ms. Elaine Danavall
Ms. Carol Gionta ✓
Ms. Olga Bzdyk
Ms. Glenda Collins



A 144

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

REGION II

FEDERAL BUILDING

26 FEDERAL PLAZA

NEW YORK, NEW YORK 10007

Office of Human Development

OFFICE OF

CHILD DEVELOPMENT

February 8, 1974

Mrs. Myrna Adams, Chairman
Board of Directors
Economic Opportunity Commission
of Nassau County, Inc.
c/o State University
College of Old Westbury - Box 210
Westbury, New York 11568

Dear Mrs. Adams:

In our letter of January 8, 1974 we asked that you inform us, no later than January 21, 1974 of your choice of the two available options outlined in Mr. Saul Rosoff's letter (addressed to you) dated January 7, 1974. The two options are:

- a) that the Economic Opportunity Commission of Nassau County, Inc. (EOC) refund the Glen Cove Child Day Care Center, Inc. (GCCDCC) as the delegate agency for Head Start in Glen Cove;

or

- b) that the refunding of GCCDCC be implemented directly by the regional Office of Child Development.

As of today, we have received no indication from you, either verbally or in writing, concerning your choice of the available options. Therefore, we are now formally advising you that the regional Office of Child Development has, as of this date, initiated a process for directly funding GCCDCC to operate a Head Start program in Glen Cove. EOC's regular funding level will be reduced accordingly. ✓

In a subsequent letter you will receive instructions concerning the disposition to be made of the funds earmarked for the Glen Cove Head Start program that we have in several written communications asked you

A 145

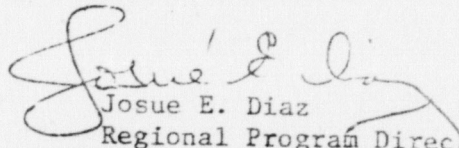
Mrs. Myrna Adams

- 2 -

February 8, 1974

to hold in escrow pending the settlement of the GCCDCC's appeal. In the meantime, we must again ask that such funds continue to be held in escrow.

Sincerely,


Josue E. Diaz
Regional Program Director
Office of Child Development

cc: Mr. Lester Miller
Mr. John Kearse
Mrs. Jean Love
Mr. Saul Rosoff
Mr. Angel Rivera

bcc: Mrs. Bernice L. Bernstein
Mr. Elwood Taub
Mr. David Grossman
Mrs. Elaine Danavall
✓ Miss Caroline Gionta
Mr. Clennie Murphy
Mrs. Margaret Holmes



A 146

Caroline

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
REGION II

FEDERAL BUILDING
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10007

July 3, 1974

OFFICE OF
CHILD DEVELOPMENT

Mr. John L. Kearse, Executive Director
Economic Opportunity Commission of Nassau County, Inc.
106 Main Street
Hempstead, New York 11550

Re: Head Start - PY "I"
August 1, 1974- July 31, 1975

Dear Mr. Kearse:

The following will confirm the major budget and program decisions for Program Year "I" (August 1, 1974 - July 31, 1975) reached between the Head Start program funded through EOC of Nassau County, Inc. and the Community Representative, Caroline Gionta, during Pre-Review visits and discussions at the EOC Central Office on March 12, April 4, 10, 30 and May 6, 1974.

In addition, you are expected to implement any and all other recommendations further outlined in this letter in order to achieve compliance with DHEW/OCD program objectives and policy regulations for this fiscal and program year.

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12X

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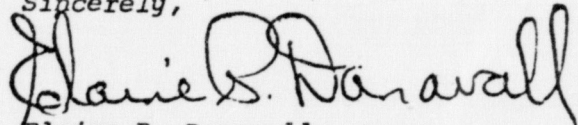
*OS 189 - Composite Budget, Section I, II, III

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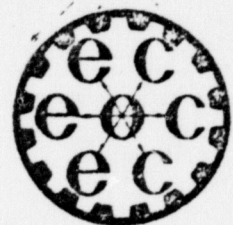
Elaine P. Danavall

Acting Regional Program Director
Office of Child Development

ADAMS

cc: Ms. Myrna ~~Cedeno~~, Chairperson Board
Ms. Jean Love, Chairperson, Policy Council
Ms. Olga Bzdyk, Acting Head Start Director
Ms. Glenda Collins, Administrative Assistant

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ECONOMIC OPPORTUNITY COMMISSION OF NASSAU COUNTY, INC.

106 MAIN STREET, HEMPSTEAD, NEW YORK 11550

JOHN L. KEARSE, EXECUTIVE DIRECTOR

PHONE: (516) 292-9710

MYRNA C. ADAMS, CHAIRMAN

P.A. 22a, c -

P.A. 23 - ~~Re~~ a -

A 149

Do S S

30 - 5 Town

60 - Farm

15 - Westbury

July 25, 1974

Mr. Nicholas Cordasco
Grants Management &
Budget Officer
Office of Child Dev.
Dept of HEW - Region II
26 Federal Plaza
New York, New York 10007

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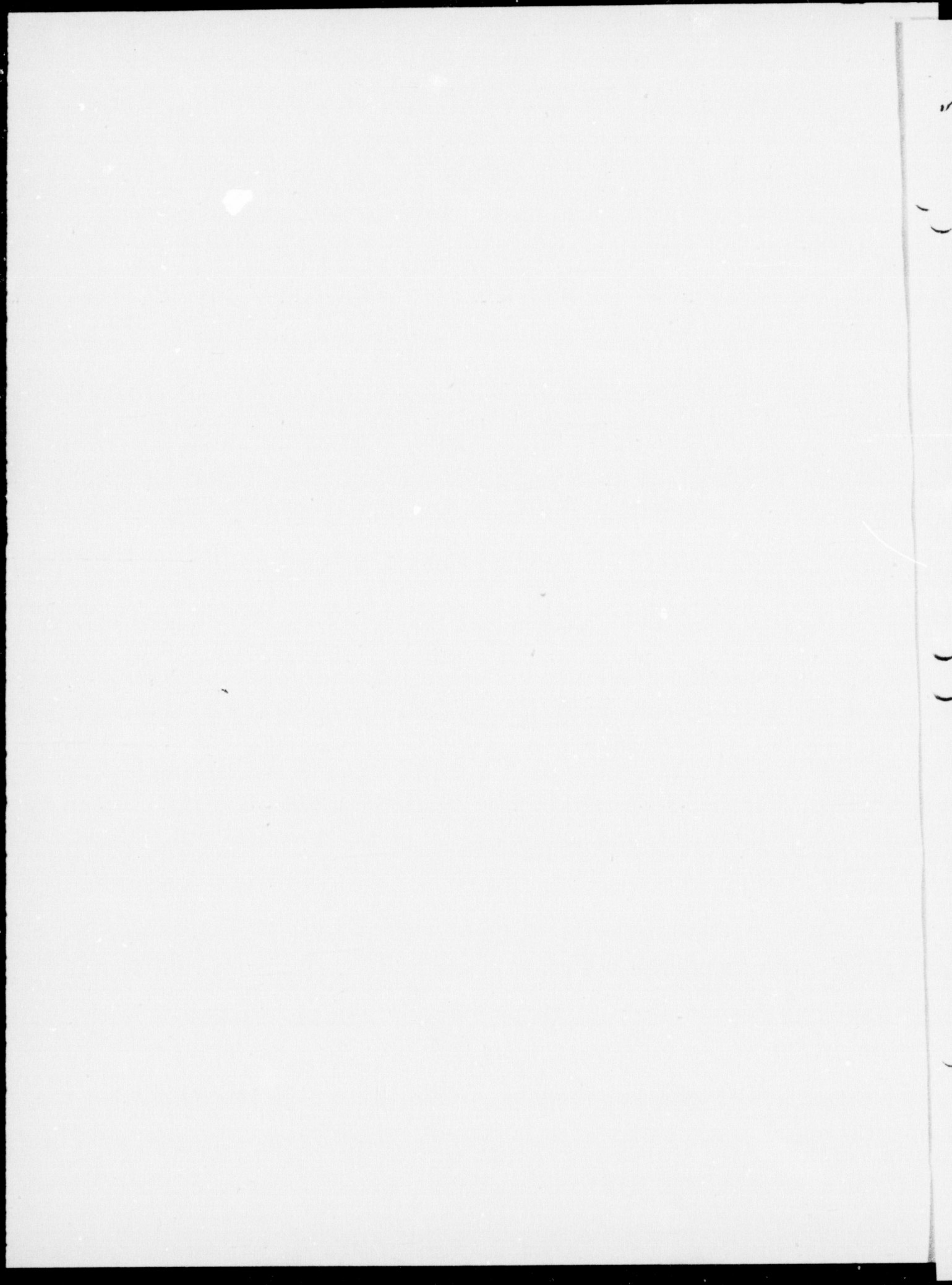
Application for \$1,098,400 - 76,750

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H/6 - Rec. 191 - P.A. 23

LAP 1,019,650
+ 2,000
1,021,650



Mr. Nicholas Cordasco
July 25, 1974
Page -2-

A 150

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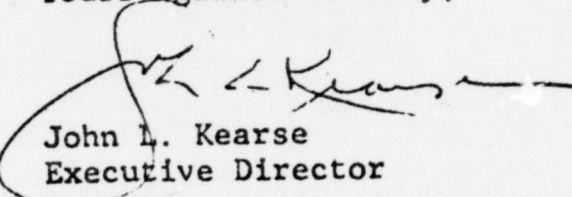
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Yours Against Poverty,



John L. Kearse
Executive Director

JLK/met
encls.

cc: Ms. Bernice Bernstein
Mr. Elwood Taub
Ms. Elaine Danavall
Ms. Carol Gionta ✓
Ms. Olga Bzdyk
Ms. Glenda Collins